

# Public Document Pack



To: All Members of the Authority



**R. Groves**  
**Acting Monitoring Officer**

The Protocol and Procedure for visitors attending meetings of Merseyside Fire and Rescue Authority can be found by clicking [here](#) or on the Authority's website: <http://www.merseyfire.gov.uk> - About Us > Fire Authority.

Tel: 0151 296 4000  
Extn: 4230 Gemma Sung

Your ref:

Our ref GS/RG

Date: 2 June 2021

Dear Sir/Madam,

You are invited to attend a meeting of the **AUTHORITY** to be held at **1.00 pm** on **THURSDAY, 10TH JUNE, 2021** in the Liverpool Suite - Fire Service Headquarters at Merseyside Fire and Rescue Service Headquarters, Bridle Road, Bootle.

There are 8 socially distanced available seats in the Sefton Suite for the public to attend the meeting. These seats are available on a first come first serve basis, so please contact [DemocraticServices@merseyfire.gov.uk](mailto:DemocraticServices@merseyfire.gov.uk) with your details if you require one.

The meeting will be available to watch via YouTube on the following link (this may be live or may follow directly after the committee has finished): <https://youtu.be/p2me9Ln0xbU>

If there are any technical issues with the live stream, the recording of the meeting will be uploaded to Merseyside Fire & Rescue Services YouTube page after the meeting has ended.

Yours faithfully,

PP – G. Sung

Acting Monitoring Officer

Encl.

This page is intentionally left blank

**MERSEYSIDE FIRE AND RESCUE AUTHORITY**

**AUTHORITY**

**10 JUNE 2021**

**AGENDA**

**1. Preliminary Matters**

The Authority is requested to consider the identification of:

- a) declarations of interest by individual Members in relation to any item of business on the Agenda
- b) any additional items of business which the Chair has determined should be considered as matters of urgency; and
- c) items of business which may require the exclusion of the press and public during consideration thereof because of the possibility of the disclosure of exempt information.

**2. Minutes of the Previous Meeting (Pages 7 - 12)**

The Minutes of the previous meeting of the Authority, held on 20<sup>th</sup> May 2021, are submitted for approval as a correct record and for signature by the Chair.

**3. Election of Chair**

To elect a Chair of the Authority for 2021/22.

**4. Election of Vice-Chair**

To elect Vice Chairs of the Authority for 2021/22.

**5. Membership of the Authority 2021-22 (Pages 13 - 16)**

To consider Report CFO/030/21 of the Acting Monitoring Officer, concerning the changes to the membership of the Authority for 2021/22.

**6. Structure of the Authority 2021-22 (Pages 17 - 26)**

To consider Report CFO/031/21 of the Acting Monitoring Officer, to

- (a) inform Members of:
  - (i) the minimum legal structure of the Authority
  - (ii) the existing decision making structure of the Authority; and
  - (iii) optional variations to the existing structure
- (b) request that the Authority determines an appropriate decision

- making structure for 2021/22; and
- (c) request that arrangements are made for the appointment of Committees, the nomination of Chairs, the determination of the powers and duties of Committees, the appointment of Members to Committees; and Special Responsibility Roles.

7. **MFRA Report for Constitution 2021-22** (Pages 27 - 232)

To consider Report CFO/032/21 of the Acting Monitoring Officer, concerning Members approval of the draft amended Constitution for Merseyside Fire and Rescue Authority (the Authority) for 2021/22.

8. **Authority Meeting Dates For 2021-22 & 2022-23** (Pages 233 - 240)

To consider Report CFO/0033/21 of the Acting Monitoring Officer, concerning the draft dates for Authority Committee meetings and events for 2021/22 and note the draft provisional dates for 2022/23.

9. **Members Allowance Payments 2020-21** (Pages 241 - 246)

To consider Report CFO/029/21 of the Acting Monitoring Officer, concerning payments made to Members in the form of allowances, during the financial year 2020/21.

10. **Scheme of Members Allowances 2021-22** (Pages 247 - 266)

To consider Report CFO/034/21 of the Acting Monitoring Officer, concerning the current Scheme of Members' Allowances; and to make recommendations on any changes it wishes to make to the Scheme.

11. **Questions on discharge of functions** (Pages 267 - 268)

To consider Report CFO/035/21 of the Acting Monitoring Officer, concerning nominating a Member from each of the five constituent District Councils as the Members responsible for answering questions in their Council on the discharge of the functions of the Authority.

12. **Appointment of Members to Outside Bodies** (Pages 269 - 272)

To consider Report CFO/036/21 of Acting Monitoring Officer, concerning the outside organisations to which it is currently affiliated; and to request where appropriate, confirmation of continuing the affiliation for 2021/22 and the appointment of representatives to those organisations.

13. **Approved Conference and Outside Meetings** (Pages 273 - 274)

To consider Report CFO/037/21 of the Acting Monitoring Officer, concerning the attendance at conferences and outside meetings by representatives of Merseyside Fire & Rescue Authority and confirm their approval for such attendance as determined by the Chair of the Authority.

**14. Meetings with National Politicians at Party Political Conferences**  
(Pages 275 - 276)

To consider Report CFO/038/21 of the Acting Monitoring Officer, concerning the attendance of Members at meetings held at the location of party political conferences, in order to make Authority related representations in line with the Members Scheme of Allowances.

**15. Firefighter Pension Schemes - McCloud/Sargeant Ruling - Treatment of HO Informal Guidance on Treatment of 'Immediate Detriment'**  
(Pages 277 - 292)

To consider Report CFO/020/21 of the Director of Finance, concerning how the Authority may wish to implement the Home Office 'Immediate Detriment' informal guidance and the risks faced by the Authority and the eligible FPS members by implementing this informal guidance in advance of having all the required information and systems in place.

**16. SERVICE DELIVERY PLAN 2020-21 END OF YEAR REPORT** (Pages 293 - 380)

To consider Report CFO/028/21 of the Chief Fire Officer, concerning performance against the objectives and the performance targets/outcomes as set out in the Service Delivery Plan 2020/21. In addition, the Integrated Risk Management Plan actions and the HMICFRS action plan are reported twice a year and are included in this end of year Service Delivery Plan report.

-----  
If any Members have queries, comments or require additional information relating to any item on the agenda please contact Committee Services and we will endeavour to provide the information you require for the meeting. Of course this does not affect the right of any Member to raise questions in the meeting itself but it may assist Members in their consideration of an item if additional information is available.

Refreshments

Any Members attending on Authority business straight from work or for long periods of time, and require a sandwich, please contact Democratic Services, prior to your arrival, for arrangements to be made.

This page is intentionally left blank

## MERSEYSIDE FIRE AND RESCUE AUTHORITY

20 MAY 2021

### MINUTES

**Present:** Cllr Leslie T. Byrom CBE (Chair) & Councillors  
Linda Maloney, Edna Finneran, Angela Coleman,  
Lynne Thompson, Janet Grace, Brian Kenny, Lesley Rennie,  
James Roberts, Paul Tweed, Allan Brame and  
Andrew Makinson

**Also Present:** Anthony Boyle (Independent Person)

**Apologies of absence were received from:** Cllr Dan  
Barrington, Cllr Doreen Knight and Cllr Lisa Preston

#### **8. Chair's Announcement**

Prior to the start of the meeting, information regarding general housekeeping was provided by the Chair to all in attendance.

Members were informed by the Chair that from the date of the local elections 3 Authority Members were lost and that new Members would join the Authority on 10<sup>th</sup> June 2021.

The Chair confirmed to all present that the proceedings of the meeting would be filmed and requested that any members of the public present who objected to being filmed, make themselves known. No members of the public voiced any objection therefore the meeting was declared open and recording commenced.

#### **1. Preliminary Matters**

The Authority considered the identification of any declarations of interest, matters of urgency or items that would require the exclusion of the press and public due to the disclosure of exempt information.

Members resolved that:

- a) no declarations of interest were made by individual Members in relation to any item of business on the Agenda
- b) no additional items of business were determined by the Chair to be considered as matters of urgency; and
- c) no items of business required the exclusion of the press and public during consideration thereof because of the possibility of the disclosure of exempt information.

## **2. Minutes of the Previous Meeting**

The Minutes of the previous meeting of the Budget Authority, held on 25<sup>th</sup> February 2021, were approved as a correct record and signed accordingly by the Chair.

## **3. CORPORATE RISK REGISTER 2020-21 OCT TO APRIL UPDATE**

Members considered Report CFO/018/21 of the Chief Fire, concerning the current risks contained within the Corporate Risk Register, the status of the risks and associated control measures, including any updates for the period September to March 2021.

Members were given a brief introduction of the report and were informed that as per a previous Internal Audit Report from April 2017, which required the Authority to consider its risk appetite and tolerance to ensure that the status of all risks is updated regularly, has now been completed.

Members added that it was very important as an Authority to be updated on all dangers and that Members understood the organisational risks.

Members resolved that:

The updated Corporate Risk Register for 2020/21 which incorporates the current status of those risks to April 2021, be approved.

## **4. 2020/21 FATAL FIRE AND FIFTEEN YEAR TREND ANALYSIS FATAL FIRE REPORT**

Members considered Report CFO/022/21 of the Chief Fire, concerning:

- insight into the fatal fires responded to by Merseyside Fire & Rescue Service (MFRS) during 2022/2021;
- a detailed analysis of the fatal fires responded to by MFRS as a result of accidental dwelling fires over a fifteen-year period; and
- the approach adopted by MFRS in order to reduce the impact of such incidents on the communities of Merseyside.

A presentation was given to Members by GM (Group Manager) Mark Thomas about the report, highlighting the amount of fatalities from accidental dwelling fires have looked over the last 15 years. In 1992-93 fatalities were in the high teens, then they came down in 1999. In 2015-16 there were multiple fire deaths and sadly 2020-21 saw 7 deaths. The over 60s age group was more prominent, out of the 111 people who have died in the last 15 years and the 45-49 year age group which was a high figure was from deprived areas. The main reason for fires starting was due to carelessly disregarding smoking materials and staff have focused getting a message to communities to 'not smoke upstairs in their homes' and to now 'stop smoking' altogether. Information was given to Members about how deprived areas in England have more accidental dwelling fires and were told that by focusing on these areas it would have a significant impact on the amount of accidental dwelling fires.

Members were advised that it has been a challenging year for home safety during the Covid19 pandemic and that MFRS has been conducting risk assessments to go back into people's homes to promote Home Fire Safety Checks (HFSC).



Members thanked GM Thomas for his presentation and a question was asked in relation to the case studies - does MFRS receive information for people living alone from any other agencies such as Social Services, as MFRS already has such a good partnership with the NHS (National Health Service). Members were advised that the organisation has multiple partner agencies that they are engaged with to identify vulnerable people and that it can be challenging for MFRS to make that intervention. MFRS focus' on all vulnerable people including over 65's and those that live alone.

With regards to 6 out of the 7 fatalities receiving HFSCs (Home Fire Safety Checks), Members questioned if MFRS are targeting the right people. Due to the main result of these fatalities being caused was by smoking material and possibly alcohol, Members asked if people with mental health conditions should be pursued and if we can liaise with General Practitioners for this information or what could we do in the future. Members were advised that MFRS will be moving towards identifying people with mental health conditions as this is a factor involving fatalities and were told that this is a national piece of work. Data will be examined and a predictive prevention strategy will feature mental health in the future.

Members praised the service for the way staff care for any vulnerable people and added that they go above and beyond their duties.

Members mentioned that a lot of people who use food banks are vulnerable for various reasons and asked if the fire service would get referrals from there. Members were advised that this is a fantastic point and that it is already done by district officers.

Members suggested that the anti-social behaviour team staff could gather more information from people in deprived areas.

Members were informed of some statistics to reassure them that MFRS has adopted good strategy's. Although this year saw 7 fire deaths and 799 accidental dwelling fires occur, last year there were 5 fatalities and 928 accidental dwelling fires, and the year before that there were over 100 accidental dwelling fires. Injuries or near misses have reduced from 90 to 59. Members were re-assured that MFRS is making progress over the years.

Members declared that they felt re-assured from all the work MFRS does and added that as a member of society they will spread the word to their communities, especially the "stop smoking" message.

Members asked how MFRS got information of vulnerable people being discharged from hospitals and were informed that MFRS receive this from partner agencies and it was stressed that this is a high priority.

Members were pleased to hear that there were no deaths on the Wirral this year but queried if there was a reason why the death rate was higher in the past (as per the Fatalities in Accidental Dwelling Fires between 2006/7 to 2020/21 graph). Members were advised that the graph makes the fatalities look high but that the drawing in fact only goes up by individual numbers, so it only takes 1 death to make it look like a much bigger fatality rate. Over the years extensive Home Fire Safety work has been completed on the Wirral and partnerships have been formed, ensuring work to keep communities safe across the whole of Merseyside will continue.

A query was raised by Members about MFRS being aware of new oxygen suppliers and Members were assured that MFRS are aware and that they work closely with oxygen supply companies.

Members asked about social media being used to get safety messages to communities and were informed that MFRS regularly uses social media for this purpose.

Members resolved that:

The content of the appended reports, be noted.

## **5. Accessibility Audit**

To consider Report CFO/023/21 of the Chief Fire Officer, concerning the progress made in acquiring an accessibility auditor to complete an audit of all Merseyside Fire and Rescue Authority properties.

Members were given a brief introduction of the report.

Members queried the procedure of the bidding process to identify suppliers and were advised that the award of the contract complied with the Authority's contract standing orders and that in narrowing the potential bidders down from 73 suppliers the locality of suppliers was taken into account which would also have affected costs. From the submitted quotes the best value bidder was successful.

Members were advised that a report will be taken to Scrutiny Committee to look at the accessibility audit services outcome and report in more detail.

Members resolved that:

- a. the specification for the audit, be noted; and
- b. that Officers have awarded the contract for services of an accessibility audit to Wilkinson Cowan Partnership for a Total sum of £14,150, be noted.

## **6. Model Code of Conduct**

To consider Report CFO/021/21 of the Acting Monitoring Officer, concerning the new model Code of Conduct for Members and approve its incorporation within the Authority's constitution.

Members were given an overview of the report.

Members agreed it would be good to just have one Code of Conduct across local authorities.

Members resolved that:

- a. the proposed code of conduct for Members as contained in Appendix A, be noted; and
- b. the LGA model code of conduct for Members template contained in Appendix B, be noted; and the incorporation of the new code of

conduct for Members into the constitution replacing the current version in force as contained in Appendix A, be approved.

**7. Local Government Association Subscription 2021/22**

To consider Report CFO/019/21 of the Acting Monitoring Officer, concerning Merseyside Fire and Rescue Authority's (MFRA's) continued membership of the Local Government Association (LGA).

Members were given a brief overview of the report, highlighting that the LGA requested that each of its member authorities appoints a dedicated Equality and Inclusion Champion. For 2020/21 Cllr Jan Grace was appointed this role.

It was raised by Members that MFRA will continue its membership to the LGA and so a report should no longer be brought to the Authority requesting this. It was decided that only if MFRA chose to cancel its membership if Members determine as such.

Members resolved that:

- a. the Authority's continued membership of the LGA, for 2021/22, be noted;
- b. a 2.5% loyalty discount is applied to all Fire and Rescue Authorities, be noted;
- c. the Authority have signed up to the LGA's direct debit payment scheme from 2020/21 onwards, in order to receive an additional 2.5% discount, be noted;
- d. the content of the report, be noted; and
- e. the continuation of membership to the LGA for the future, be agreed.

Close

Date of next meeting Thursday, 10 June 2021

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

This page is intentionally left blank

<b>MERSEYSIDE FIRE AND RESCUE SERVICE</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>10<sup>TH</sup> JUNE 2021</b>	<b>REPORT NO:</b>	<b>CFO/030/21</b>
<b>PRESENTING OFFICER</b>	<b>ACTING MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>GEMMA SUNG</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM</b>		
<b>TITLE OF REPORT:</b>	<b>MEMBERSHIP OF THE AUTHORITY 2021-222</b>		

<b>APPENDICES:</b>	
--------------------	--

### Purpose of Report

1. To inform Members of the changes to the membership of the Authority for 2021/22.

### Recommendation

2. That Members;
  - a) Note the content of this report
  - b) Note the membership of the Authority further to the appointments by the five district councils and
  - c) Approve the appointment of the Police Crime Commissioner (PCC) for Merseyside to the Authority

### Introduction and Background

3. The following changes to the Membership of the Authority have occurred:-
  - The Appointment of Councillor Steff O’Keeffe, from Knowsley Council, ended as a result of the local elections.
  - The Appointment of Cllr Emily Spurrell, from Liverpool City Council, ended as a result of her nomination for Police & Crime Commissioner in the local elections.
  - The Appointment of Councillor Jean Stapleton, from Wirral Council, ended as a result of her not re-standing for election.
  - The Appointment of Cllr Allan Brame, from Wirral Council, ended as a result of decisions taken within Wirral Council over representation on the Authority and changes to the political balance of Wirral Council.

- The Appointment of Cllr Angela Coleman, from Liverpool City Council, ended as a result of decisions taken within Liverpool City Council over representation on the Authority.
  - The Appointment of Cllr Doreen Knight, from Liverpool City Council, ended as a result of decisions taken within Liverpool City Council over representation on the Authority.
  - The Appointment of Cllr Dan Barrington, from Liverpool City Council, ended as a result of decisions taken within Liverpool City Council over representation on the Authority.
4. The Constituent District Councils have notified the Authority of the Appointments to the Authority for the Municipal Year 2021/22 as follows:-
- (a) Knowsley (2 Members):-
- Councillor Edna Finneran (Labour)
  - Councillor Hugh Malone (Labour)
- (b) Liverpool (6 Members):-
- Councillor James Roberts (Labour)
  - Councillor Sharon Connor (Labour)
  - Councillor Elizabeth Hayden (Labour)
  - Councillor Lynn Hinnigan (Labour)
  - Councillor Pam Thomas (Labour)
  - Councillor Andrew Makinson (Liberal Democrat & Progressive Alliance Group)
- (c) St. Helens (2 Members):-
- Councillor Linda Maloney (Labour)
  - Councillor Lisa Preston (Labour)
- (d) Sefton (4 Members):-
- Councillor Leslie Byrom (Labour)
  - Councillor Janet Grace (Labour)
  - Councillor Paul Tweed (Labour)
  - Councillor Lynne Thompson (Liberal Democrat & Progressive Alliance Group)
- (e) Wirral (4 Members):-
- Councillor Brian Kenny (Labour)
  - Councillor Gillian Wood (Labour)
  - Councillor Lesley Rennie (Conservative)
  - Councillor Kathy Hodson (Conservative)

5. The political balance of the Authority is 14 Labour, 2 Liberal Democrat; and 2 Conservative. Political balance issues are considered in a separate report relating to the structure of the Authority, which is also presented for consideration at this meeting.
6. Further to the local elections held on 6<sup>th</sup> May 2021 which included the Police and Crime Commissioner ('PCC') for Merseyside, Emily Spurrell was appointed as the new PCC for Merseyside. Subsequently following a formal invitation to the PCC for her to submit a request to be appointed to the Authority committee pursuant to her powers under s.7 of the Policing and Crime Act 2017 a request from the PCC requesting to be appointed onto the Authority committee was received on 21<sup>st</sup> May 2021.
7. It is proposed to Members that approval of the PCC to be appointed onto the Authority would enable the PCC to have full voting rights and enhance working relations between both organisations ensuring the local community receive the most effective service.

---

#### **Equality and Diversity Implications**

---

8. There are no equality and diversity implications directly associated with this report. Elected Members are nominated by their respective Councils to the Fire and Rescue Authority.

---

#### **Staff Implications**

---

9. Democratic Services administer the meetings of the Authority and deal with Members' queries and travel and accommodation issues.

---

#### **Legal Implications**

---

10. The membership of the Authority is made up from those Members nominated by their respective council. The PCC has a right to request to be appointed to a committee for which the committee must consider.

---

#### **Financial Implications & Value for Money**

---

11. There is a Members' Allowance Scheme which is the subject of another report on this Agenda. There are no additional costs relevant to the content of this report.

---

#### **Risk Management, Health & Safety, and Environmental Implications**

---

12. There are no direct risk management, health and safety or environmental implications relevant to this report.

13. Elected Members are nominated to Merseyside Fire and Rescue Authority to represent the best interests of the communities of Merseyside.

---

**BACKGROUND PAPERS**

---

**GLOSSARY OF TERMS**

MFRA – MERSEYSIDE FIRE AND RESCUE AUTHORITY



<b>MERSEYSIDE FIRE AND RESCUE SERVICE</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>10<sup>TH</sup> JUNE 2021</b>	<b>REPORT NO:</b>	<b>CFO/031/21</b>
<b>PRESENTING OFFICER</b>	<b>ACTING MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>GEMMA SUNG</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM</b>		
<b>TITLE OF REPORT:</b>	<b>STRUCTURE OF THE AUTHORITY 2021-222</b>		

<b>APPENDICES:</b>	<b>APPENDIX A:</b>	<b>DRAFT COMMITTEE STRUCTURE 2021/22</b>
	<b>APPENDIX B:</b>	<b>COMMITTEE MEMBERSHIP TEMPLATE</b>

## **Purpose of Report**

1. To
  - (a) inform Members of:
    - (i) the minimum legal structure of the Authority
    - (ii) the existing decision making structure of the Authority; and
    - (iii) optional variations to the existing structure
  - (b) request that the Authority determines an appropriate decision making structure for 2021/22; and
  - (c) request that arrangements are made for the appointment of Committees, the nomination of Chairs, the determination of the powers and duties of Committees, the appointment of Members to Committees; and Special Responsibility Roles.

## **Recommendation**

2. That Members determine an appropriate decision making structure for 2021/22 by:
  - (a) Determining which Committees it wishes to establish.
  - (b) Determining the number of Voting Members to be appointed to each Committee.
  - (c) Determining the number of seats on each Committee to be allocated to each political group in accordance with the political balance regulations.
  - (d) Determining that alternates from the relevant political group, can attend a Committee in the absence of the substantive Member.

- (e) Confirming the Members who are to be appointed to Committees; and roles attracting a Special Responsibility Allowance, in accordance with the wishes of the relevant political group in respect of those seats allocated to that group.
- (f) Confirming that Members will inform Democratic Services prior to the start of any meeting, of an alternate Member, if they are unable to attend.
- (g) Confirming whether it wishes to continue with the existing structure and/or whether it wishes to amend the structure.

---

## **Introduction and Background**

---

- 3. This report confirms the political balance of the Authority as 14 Labour, 2 Liberal Democrat and 2 Conservative Members.
- 4. Based upon the balance of the Authority, Members are requested to consider and determine the appropriate decision making structure, appointment of Committees, nominate Chairs and Members to those Committees; and nominate Members to additional roles, such roles attract a Special Responsibility Allowance.
- 5. Minimum Legal Requirement

5.1 The minimum statutory requirements for a decision making structure are:

- (a) Authority Meetings – There is a statutory requirement to hold an Annual Meeting (before the end of June in each year) and to meet to determine the precept each year (by the end of February in each year). The Authority is also required to consider other miscellaneous matters including statutory reports of the Chief Finance Officer or Monitoring Officer and public interest reports, should they arise.
- (b) It is recognised as good practice to have an Audit Committee, or a Committee that deals with audit matters. In the Authority's case this also serves as the Standards Committee - which is a legal requirement.

## 6. Existing Structure

6.1 At present, as well as the Authority committee, the Authority has appointed:

- 6.1.1 A Community Safety and Protection Committee, a Policy and Resources Committee and a Scrutiny Committee, each consisting of 9 Members; and an Audit Committee consisting of 5 voting Members (according to Political proportionality).

With the exception of the Chair and Vice Chair of the Authority, who should not attend meetings of the Scrutiny Committee, meetings of these Committees are open to all Members to attend, including the Independent Person (who does not have voting rights).

The Audit Committee will deal with Members Standards issues; and is the Investigating and Disciplinary Committee for dealing with any complaints under the Disciplinary Procedure for Relevant Officers

The Community Safety and Protection Committee and the Policy and Resources Committee have delegated decision making powers in the circumstances where there is no opportunity for the Authority to meet in full.

- 6.1.2 An Appeals Committee and an Appointments Committee.
- 6.1.3 A Joint Fire and Police Collaboration Committee which is a none decision making Committee consisting of 6 Members – 4 Members representing Merseyside Fire & Rescue Authority, plus 2 Co-Opted Members representing Merseyside Police (Police & Crime Commissioner and Deputy Police & Crime Commissioner).
- 6.1.4 Each Committee has certain delegated powers which are contained within its Terms of Reference.
- 6.2 The Authority has also:
  - (a) Appointed Lead Members with responsibility for certain activities; and Chairing the Scrutiny Committee on a rotational basis.
  - (b) Appointed a Member Development and Engagement Group with approved Terms of Reference, consisting of Officers from Democratic Services and People & Organisational Development; and Members from each political group.

## 7. Determination of a Structure for 2021/22

- 7.1 A draft structure is attached to this report as Appendix A. This incorporates Lead Member roles and proposes that:
  - (a) The Authority Committee Structure continues to include a Policy and Resources Committee; a Community Safety and Protection Committee, a Scrutiny Committee, an Audit Committee, a Joint Fire and Police Committee plus an Appeals Committee and Appointments Committee; and a Member Development and Engagement Group.
  - (b) The Audit Committee will consist of 5 Members plus the Independent Person in a non-voting capacity. It will continue to deal with Members Standards issues and act as the Investigating and Disciplinary Committee in relation to and in accordance with the Disciplinary Procedures for Relevant Officers.
  - (c) There are two Lead Member Roles, who Chair the Scrutiny Committee on a rotational basis.

7.2 The proposed Terms of Reference and powers of each Committee are contained within the Constitution for 2021/22, which is the subject of another report on this agenda.

7.3 In making their decision on a structure, Members are also requested to take into account the following matters:

(a) The requirement for each political group to complete a notice in writing to the Monitoring Officer, detailing their Membership and a Group leader where appropriate.

(b) The requirement for political balance on any Committees which are appointed; unless the Authority has resolved otherwise and no Member has voted against such resolution.

(c) The requirement to appoint Members to Committees in accordance with the wishes of the political group to whom the seat has been allocated. In this respect it will assist the Monitoring Officer if all such nominations can be determined at, or before the Annual Meeting.

(d) The appointment of Chairs of Committees.

(e) The appointment of Lead Members.

(f) The requirement for approval of the Powers and Duties of each appointed Committee.

## 8. Number of Seats & Political Balance/ Membership of Committees

8.1 The Authority is required to make appointments to its Committees in a manner which, so far as practicable reflects the political balance of the Authority unless the Authority has resolved otherwise and no Member has voted against such resolution.

8.2 Following the local elections this year, the representation of each political group on the Authority will be as follows:

Labour	14 Members
Liberal Democrat	2 Members
Conservative	2 Members

8.3 In order to comply with political balance requirements, where practicable, it is therefore appropriate that the proportion of seats on Committees allocated to political groups, is as follows:

Labour	77.78%
Liberal Democrat	11.11%
Conservative	11.11%

8.4 Having decided which Committees the Authority is to establish; and the number of Voting Members to be appointed to each Committee, it is then appropriate for each political group to submit nominations for membership of those Committees in accordance with the allocation of seats to that political group.

8.5 Members are requested to consider their nominations in advance of the meeting, so that the information can be provided; and appointments confirmed at the Annual Meeting.

8.6 A template for Members to complete is attached as Appendix B to this report.

## 9. Chairs of Committees

9.1 Having determined which Members are to be appointed to the Committees, it is appropriate for the Authority to consider proposals for the appointment of Chairs to Committees.

9.2 Members are requested to consider this issue prior to the Annual Meeting, with a view to the Authority being in a position to appoint Chairs of Committees at the Annual Meeting.

## 10. Dates of Meetings

There is a separate report on this agenda dealing with a draft schedule of dates of meetings. This has been prepared on the basis of the draft Committee structure being approved, although alternative meeting dates will be provided if necessary.

---

### **Equality and Diversity Implications**

11. There are no equality and/ or diversity implications directly related to this report.

---

### **Staff Implications**

12. There are no direct staff implications contained within this report.

---

### **Legal Implications**

13. The Authority is required by law to set a minimum structure and this report addresses that requirement.

---

### **Financial Implications & Value for Money**

14. Costs associated with Members Allowances are detailed in another report on this agenda.

---

**Risk Management, Health & Safety, and Environmental Implications**

---

15. There are no direct risk management or health and safety implications contained within this report.

---

**Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters***

---

16. Communities are stronger in the knowledge that the Authority has its structure in place.

---

**BACKGROUND PAPERS**

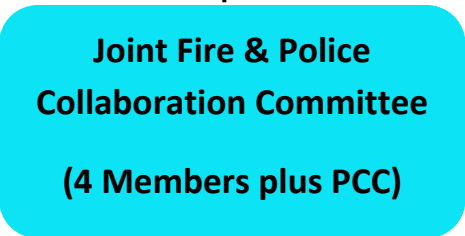
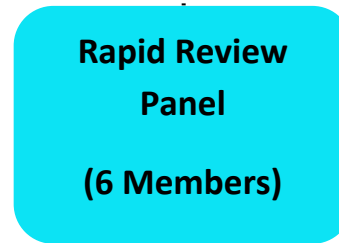
---

---

**GLOSSARY OF TERMS**

---

# Structure for Merseyside Fire and Rescue Authority for 2021/22



\* has delegated powers to determine any matters which require Authority approval which cannot wait until the next meeting.

This page is intentionally left blank



<b>Committee</b>	<b>Members</b>
<b>Community Safety &amp; Protection Committee</b>  9 Members (7,1,1)	<b>1 Cllr (Chair)</b> 2 Cllr 3 Cllr 4 Cllr 5 Cllr 6 Cllr 7 Cllr <b>8 Cllr</b> 9.Cllr
<b>Policy &amp; Resources Committee</b>  9 Members (7,1,1)	<b>1 Cllr (Chair)</b> 2 Cllr 3 Cllr 4 Cllr 5 Cllr 6 Cllr 7 Cllr <b>8. Cllr</b> 9. Cllr
<b>Audit Committee</b>  5 Members (4,(1or1))  (Plus 1 Independent Person)	<b>1 Cllr (Chair)</b> 2 Cllr 3 Cllr 4 Cllr <b>5 Cllr/Cllr</b>
<b>Scrutiny Committee</b>  9 Members (7,1,1)  (Plus 1 Independent Person)	<b>1 Cllr (Joint Chair/ Scrutiny Lead)</b> <b>2 Cllr (Joint Chair/ Scrutiny Lead)</b> 3 Cllr 4 Cllr 5 Cllr 6 Cllr 7 Cllr <b>8 Cllr</b> 9 Cllr

<b>Appointments Committee</b> <b>(3,1,1)</b> Made up of the Chair, Vice Chairs, and Opposition Spokespersons	<b>1 Cllr (Chair)</b> 2 Cllr 3 Cllr 4 Cllr <b>5 Cllr</b>
<b>Appeals Committee</b> <b>(3,1,1)</b> Made up of the Chair, Vice Chairs, and Opposition Spokespersons	<b>1 Cllr (Chair)</b> 2 Cllr 3 Cllr 4 Cllr <b>5 Cllr</b>
<b>Joint Fire &amp; Police Collaboration Committee</b>  4 Members (3,(1or1))  (Plus PCC & DPCC)	<b>1 Cllr (Chair)</b> 2 Cllr (vice) 3 Cllr (vice) 4 <b>Cllr/Cllr</b>

	2 Clr
	3 Clr
	4 Clr

<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>10<sup>TH</sup> JUNE 2021</b>	<b>REPORT NO:</b>	<b>CFO/032/21</b>
<b>PRESENTING OFFICER</b>	<b>ACTING MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>RIA GROVES</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM</b>		
<b>TITLE OF REPORT:</b>	<b>MFRA REPORT FOR 2021-22</b>		

<b>APPENDICES:</b>	<b>APPENDIX A: MFRA CONSTITUTION</b>
--------------------	--------------------------------------

### **Purpose of Report**

1. To request that Members approve the draft amended Constitution for Merseyside Fire and Rescue Authority (the Authority) for 2021/22.

### **Recommendation**

2. That Members;
  - a) approve the draft amended Constitution for 2021/22 and;
  - b) instruct the Acting Monitoring Officer to the Authority to keep the Constitution under review and;
  - c) in the event of any relevant changes in legislation to bring a further report to the Authority in these circumstances.

### **Introduction and Background**

3. Members are aware that the Authority is required to have Standing Orders in place in relation to committee procedures, contracts and financial regulations under the Local Government Acts 1972, 1985, 1989 and 2000 as well as the Localism Act 2011.
4. Members will also be aware that guidance and Codes of Practice in relation to the Local Government Act 2000 require this document to be contained within one overall Constitution so that this can be easily accessed by the general public.
5. The Authority's Constitution contains a Summary and Information section, an Introduction, Terms of Reference for all the Authority's committees, Rapid Reviews, Procedural Standing Orders, Contract Standing Orders and Financial Regulations. Local and National Protocols and Codes relevant to Members are also included.

6. The draft now presented for approval by Members proposes the following amendments.

**7. Part 1 and Part 2**

Parts 1 and 2 of the Constitution relate to introductory issues and only minimal changes have been made to these Parts namely to ensure references to the s.151 officer reflect their new title of Director of Finance and Procurement throughout this part and thereafter the rest of the constitution references to the Audits committee have also been updating to reflect its role as a Investigating and Disciplinary Committee.

**8. Part 3**

8.1 Part 3 relates to the roles of Chairs and Members' rights and duties, the functions of each Committee; the Scheme of Delegation and terms of Reference for the proposed Committee structure with no proposed changes other than typographical.

**9. Part 4**

- i) Part 4 consists of Procedure Rules – relating to Procedural Standing Orders, Contract Standing Orders and Financial Regulations.
- ii) No substantial changes have been made to the Financial Procedure Rules.
- iii) The Procedural Standing Orders have been reviewed and some minor typographical changes have been made
- iv) The Contract Standing Orders have been amended to reflect and update the applicable legislation and procedures in force in respect of the Contract Standing Orders

**Part 5**

10. Part 5 consists of Codes and Protocols, which includes the Members Code of Conduct and the Members' Allowance Scheme. The Officer and Member Relations Protocol has been reviewed. Members and Officers are encouraged to read this document carefully.

11. The Code of Conduct for Members have been updated with the new model code as agreed with local amendments with the Liverpool City Region colleagues as approved by Members at the 20<sup>th</sup> May 2021 Authority meeting.

12. There are separate papers on the Agenda for this AGM dealing with the Members Allowance Scheme.

13. In order to save printing costs electronic copies are provided to Members of the draft document.
14. Should the draft changes be approved they will be incorporated into the Constitution and copies of amended pages will be provided to each Member for incorporation into the bound copy of the Constitution which has already been provided to Members. The revised document will also be published on the Authority's website and the internal Portal.

---

**Equality and Diversity Implications**

---

15. The terms of reference for the Committees contain duties for Members to consider the Authority's public equality duties as part of their decision making.

---

**Staff Implications**

---

16. There are no direct staffing implications contained within this report.

---

**Legal Implications**

---

17. The Constitution and its constituent parts are required by Local Government legislation.

---

**Financial Implications & Value for Money**

---

18. The Authority through its Committees must consider the financial implications of decisions and the Constitution reflects this.

---

**Risk Management, Health & Safety, and Environmental Implications**

---

19. The terms of reference for every Committee contain duties for Members to consider the Authority's Health, Safety and Environmental duties as part of their decision making - in order to support its mission to create Safer, Stronger Communities and Safe Effective Firefighters”.

---

**Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters***

---

20. The Constitution provides a transparent mechanism to ensure that the communities of Merseyside can have full confidence in the decision making processes of this Authority.

---

**BACKGROUND PAPERS**

---

NONE

---

**GLOSSARY OF TERMS**

---

MFRA – MERSEYSIDE FIRE AND RESCUE AUTHORITY

This page is intentionally left blank

**2021-22**



# **CONSTITUTION**

**Merseyside Fire & Rescue Authority**  
**Bridle Road, Bootle, Merseyside, L30 4YD**  
**0151 296 4000**  
**[www.merseyfire.gov.uk](http://www.merseyfire.gov.uk)**

## Contents

PART 1 – SUMMARY AND EXPLANATION .....	8
What is in the Constitution? .....	8
How the Fire & Rescue Authority Operates .....	8
How Decisions Are Made .....	8
The Authority’s Staff .....	8
Citizens’ Rights .....	9
Citizens’ Responsibilities .....	9
PART 2 – INTRODUCTION.....	10
Article 1 – Purpose of the Constitution .....	10
Article 2 – Membership of the Authority.....	10
Article 3 – Officers .....	11
Article 4 – Decision Making .....	13
Article 5 – Finance, Contracts and Legal Matters.....	14
Article 6 – Review and Revision of the Constitution .....	15
Article 7 – Suspension, Interpretation and Publication of the Constitution .....	16
PART 3 – RESPONSIBILITY FOR FUNCTIONS .....	17
Article 8 – Roles and Functions of Members .....	17
Article 9 – Roles and Responsibilities of Designated Office Holders.....	18
Article 10 – The Authority .....	21
Article 11 – The Policy and Resources Committee .....	23
Article 12 – The Community Safety and Protection Committee.....	24
Article 13 – The Scrutiny Committee .....	26
Article 14 – The Joint Fire and Police Collaboration Committee .....	27
Article 15 – Audit Committee .....	28
Article 16 – The Appeals Committee .....	30
Article 17 – The Appointments Committee .....	31
Article 18 – Member Development and Engagement Group.....	31
Article 19 – Local Pension Board (Firefighter’s Pension Scheme(s)).....	32
Article 20 – Scheme of Delegation to Officers .....	32
PART 4 – PROCEDURE RULES .....	40
Article 21 – Procedural Standing Orders .....	40
Section 1 : Preliminary.....	40
Standing Order 1 : Definitions.....	40
Standing Order 2: Standing Orders .....	41
Section 2: Meetings of the Authority .....	43
Standing Order 3 : Ordinary Meetings of the Authority.....	43
Standing Order 4 : Extraordinary Meetings of the Authority .....	43
Standing Order 5 : Person Presiding at Meetings of the Authority .....	44
Standing Order 6 : Quorum of Meetings of the Full Authority.....	44
Standing Order 7 : Order of Business at Meetings of the Authority.....	45



Standing Order 8 : Notices of Motions to Authority.....	47
Standing Order 9 : Motions and Amendments.....	48
Standing Order 10 : Questions .....	49
Standing Order 11 : Presentation of Petitions, Hearing of Deputations and Occasions When Public May Speak.....	50
Section 3 : Committees and Sub-Committees.....	53
Standing Order 12 : Appointment of Committees and Sub-Committees .....	53
Standing Order 13 : Meetings of Committees and Sub-Committees.....	56
Standing Order 14: Persons Presiding in Committees and Sub-Committees .....	57
Standing Order 15: Quorum of Committees and Sub-Committees .....	58
Standing Order 16: Order of Business on Committees and Sub-Committees.....	58
Standing Order 17: Urgent Business .....	58
Standing Order 18: Reference-up of Decisions .....	58
Section 4 : Conduct of All Meetings.....	60
Standing Order 19 : Minutes and Records of Proceedings .....	60
Standing Order 20 : Rules of Debate.....	60
Standing Order 21 : Prevention of Disorderly Conduct.....	62
Standing Order 22 : Voting .....	63
Standing Order 23 : Attendance at Committees etc .....	64
Standing Order 24: No Smoking.....	64
Section 5 : Summons and Agenda for Meetings .....	65
Standing Order 25 : Summons and Agenda for Meetings .....	65
Section 6 : Declaration of Interests.....	66
Standing Order 26 : Interests of Members in Contracts and Other Matters .....	66
Standing Order 27 : Interests of Officers in Contracts and Other Matters .....	67
Section 7 : Miscellaneous .....	67
Standing Order 28 : Seal of the Authority .....	67
Standing Order 29 : Attestation of Documents .....	68
Standing Order 30 : Papers and Advice .....	68
Standing Order 31 : Rescission of Previous Resolutions .....	68
Standing Order 32 : Canvassing.....	68
Standing Order 33 : Restrictions on Disclosure of Confidential Information.....	69
Standing Order 34 : Delegation to Officers.....	69
Standing Order 35 : Financial Regulations .....	69
Standing Order 36 : Disciplinary Action .....	70
Article 22 – Contract Standing Orders .....	70
Article 23 – Financial Regulations 2021-2022 .....	80
Status of Financial Regulations .....	80
Financial Regulations A : Financial Management.....	81
Introduction .....	81
The Statutory Officers.....	81
Chief Fire Officer.....	81

Solicitor to the Authority and Monitoring Officer .....	81
The Director of Finance and Procurement.....	82
Strategic Leadership Team.....	84
Other Financial Accountabilities .....	84
Virement .....	84
Treatment of Year-end Balances.....	84
Accounting Policies.....	84
Accounting Records and Returns.....	84
The Annual Statement of Accounts .....	84
Financial Regulation B : Financial Planning .....	85
Introduction.....	85
Policy Framework .....	85
Budgeting.....	85
Budget Format.....	85
Budget Preparation.....	85
Budget Monitoring and Control.....	86
Resource Allocation.....	86
Preparation of the Capital Programme .....	86
Guidelines.....	86
Maintenance of Reserves .....	87
Financial Regulation C : Risk Management and Control of Resources.....	87
Introduction.....	87
Risk Management.....	87
Internal Control .....	87
Audit Requirements .....	88
Preventing Fraud and Corruption .....	88
Assets .....	88
Treasury Management.....	88
Staffing.....	89
Financial Regulation D : Systems and Procedures .....	89
Introduction.....	89
General .....	90
Payments to Employees and Members.....	90
Taxation.....	90
Trading Accounts/Business Units.....	90
Financial Regulation E : External Arrangements.....	90
Partnerships.....	90
External Funding.....	91
Work for Third Parties.....	91
Appendix A : Financial Management.....	92
Financial Management Standards .....	92
Responsibilities of the Director of Finance and Procurement.....	92

Responsibilities of SLT Officers.....	92
Managing Expenditure.....	93
Scheme of Virement.....	93
Responsibilities of the Director of Finance and Procurement.....	93
Responsibilities of SLT Officers.....	93
Treatment of Year-End Balances.....	94
Responsibilities of the Director of Finance and Procurement.....	94
Responsibilities of SLT Officers.....	95
Accounting Policies.....	95
Responsibilities of the Director of Finance and Procurement.....	95
Responsibilities for SLT Officers.....	96
Accounting Records and Returns.....	96
Responsibilities of the Director of Finance and Procurement.....	97
Responsibilities of SLT.....	98
The Annual Statement of Accounts.....	98
Responsibilities of the Director of Finance and Procurement.....	99
Responsibilities of SLT Officers.....	99
Appendix B – Financial Planning.....	100
Performance Plans.....	100
Responsibilities of the Director of Finance and Procurement.....	100
Responsibilities of SLT Officer.....	100
Budgeting.....	101
Format of the Budget.....	101
Responsibilities of the Director of Finance and Procurement.....	101
Responsibilities of SLT Officers.....	101
Revenue Budget Preparation, Monitoring and Control.....	101
Responsibilities of the Director of Finance and Procurement.....	102
Responsibilities of SLT Officers.....	103
Budgets and Medium-Term Planning.....	103
Responsibilities of the Director of Finance and Procurement.....	104
Responsibilities of SLT Officers.....	104
Resource Allocation.....	105
Responsibilities of the Director of Finance and Procurement.....	105
Responsibilities of SLT Officers.....	106
Capital Programmes.....	106
Responsibilities of the Director of Finance and Procurement.....	107
Responsibilities of SLT Officers.....	107
Maintenance of Reserves.....	108
Responsibilities of the Director of Finance and Procurement.....	108
Responsibilities of SLT Officer.....	108
Appendix C – Risk Management and Control of Resources.....	109
Risk Management.....	109

Responsibilities of the Deputy Chief Fire Officer .....	110
Responsibilities of the Monitoring Officer .....	110
Responsibilities of SLT Officers .....	110
Responsibilities of the Director of Finance and Procurement.....	112
Responsibilities of SLT Officers.....	112
Audit Requirements .....	112
Internal Audit.....	112
Responsibilities of the Director of Finance and Procurement.....	113
Responsibilities of SLT Officers.....	113
External Audit .....	114
Responsibilities of the Director of Finance and Procurement.....	114
Responsibilities of SLT Officers.....	115
Preventing Fraud and Corruption .....	115
Responsibilities of the Director of Finance and Procurement.....	116
Responsibilities of SLT Officers.....	116
Assets .....	116
Security.....	116
Responsibilities of the Director of Finance and Procurement.....	117
Responsibilities of SLT Officers.....	117
Inventories – Responsibilities of SLT Officers .....	118
Stocks and Stores – Responsibilities of SLT Officers.....	119
Intellectual Property .....	119
Responsibilities of SLT Officers.....	119
Asset Disposal .....	120
Responsibilities of the Director of Finance and Procurement.....	120
Responsibilities of SLT Officers.....	120
Treasury Management.....	120
Responsibilities of Director of Finance and Procurement – Treasury Management and Banking.....	121
Responsibilities of SLT Officers – Treasury Management and Banking.....	121
Responsibilities of The Director of Finance and Procurement – Investments and Borrowing .....	121
Responsibilities of SLT Officers – Investments and Borrowing .....	121
Responsibilities of SLT Officers – Trust Funds and Funds held for Third Parties .....	122
Staffing.....	122
Responsibilities of the Director of Finance and Procurement.....	122
Responsibilities of SLT Officers.....	123
Appendix D – Financial Systems and Procedures.....	124
General .....	124
Responsibilities of the Director of Finance and Procurement.....	124
Responsibilities of SLT Officers.....	125
Income and Expenditure.....	126
Income .....	126
Responsibilities of the Director of Finance and Procurement.....	127

Responsibilities of SLT Officer.....	127
Ordering and Paying for Work, Goods and Services.....	129
General .....	129
Responsibilities of the Director of Finance and Procurement.....	130
Responsibilities of SLT Officers.....	131
Payment to Employees and Members.....	134
Responsibilities of the Director of Finance and Procurement.....	134
Responsibilities of SLT Officers.....	135
Responsibilities of Members and Employees .....	135
Responsibilities of the Director of Finance and Procurement.....	136
Responsibilities of SLT Officers.....	136
Trading Accounts and Business Units .....	137
Responsibilities of the Director of Finance and Procurement.....	137
Responsibilities of SLT Officers.....	137
Appendix E – External Arrangements.....	138
Partnerships.....	138
General .....	138
Responsibilities of the Director of Finance and Procurement.....	139
Responsibilities of SLT Officers.....	140
External Funding.....	140
Responsibilities of the Director of Finance and Procurement.....	141
Responsibilities of SLT Officers.....	141
Work for Third Parties.....	141
Responsibilities of the Director of Finance and Procurement.....	142
Responsibilities of SLT Officers.....	142
PART 5 – PROCEDURE AND POLICIES .....	143
<b>CODE OF CONDUCT FOR MEMBERS</b> .....	143
<b>Table 1: Disclosable Pecuniary Interests</b> .....	153
Procedure for Dealing with Allegations Under the Code of Conduct.....	156
MEMBERS CODE AND GUIDANCE ON OFFICIAL VISITS BY MEMBERS.....	159
Guidance .....	159
SCHEME OF MEMBERS ALLOWANCES .....	164
Schedule 1 – Special Responsibility Allowances.....	168
Schedule 2 – Travelling & Subsistence Allowances .....	169
MEMBER ALLOWANCES 2021/2022 .....	171
SUCCESSION PLANNING POLICY – CHAIR AND VICE CHAIR OF THE AUTHORITY .....	172
PROTOCOL ON MEMBER AND OFFICER RELATIONS.....	173
1. Introduction .....	173
2. Operation of this Protocol .....	173
3. Responsibility for the Protocol .....	174
4. Member and Officer Roles.....	174
5. Member/Officer Obligations and Expectations .....	176

6.	Behaviour Limitations .....	178
7.	Members' Access to Information .....	178
8.	Confidentiality .....	179
9.	Personal Relationships .....	180
10.	Officers and Committees .....	181
11.	Correspondence .....	181
12.	Staffing Matters.....	182
13.	Authority Property .....	182
14.	Attendance at Meetings .....	182
15.	Political Groups.....	183
16.	Breaches of the Protocol .....	183
	MEMBER'S TRANSPORT GUIDANCE.....	185
	Introduction .....	185
	Guiding Principles for Members Transport .....	185
	Use of Members Own Vehicles .....	185
	Use of Public Transport.....	186
	Rail.....	186
	Bus, Ferry and Other Public Transport.....	186
	Use of Taxis.....	187
	Use of Hired Vehicle .....	187
	Air Travel .....	187
	Use of Transport Provided by Service .....	187
	Travel Insurance .....	188
	SUPPORT SERVICES FOR MEMBERS .....	189
	SERVICE POLICY ICTPOL03.....	191
	Acceptable Use Policy .....	191
1.	Policy Introduction and Background .....	191
2.	Policy Explanation .....	191
3.	Policy Implementation.....	192
	PROTOCOL ON REPORTING AT MEETINGS .....	193
	Introduction .....	193
	Reporting .....	193
	Before the Meeting .....	193
	During the Meeting .....	193
	Exclusion from Meetings.....	194
	Interpretation of this Protocol.....	194
	Publication .....	194
	Contact Details .....	194
	PROCEDURE FOR ATTENDANCE AND RECORDING OF MERSEYSIDE FIRE AND RESCUE AUTHORITY.....	195
	Purpose .....	195
	Overview.....	195

Prerequisite Information.....	195
Safety, Precaution, Entry, Admittance and Departure.....	195
Access to the Actual Meeting.....	196
Equipment.....	196
Prior to the Meeting.....	197
During the Meeting.....	197
Exclusion.....	197
Exit and Departure.....	197
Further Information.....	197

## PART 1 – SUMMARY AND EXPLANATION

Merseyside Fire and Rescue Authority has agreed a Constitution which sets out how the Authority operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local citizens. Some of these processes are required by the law, while others are matters for the Authority to agree.

This Constitution details how the Authority conducts its business and includes detailed procedures and codes of practice.

### What is in the Constitution?

The Constitution sets out the primary purpose of the Authority, explaining how the key parts of the Authority operate, including the rights of citizens.

### How the Fire & Rescue Authority Operates

The Authority is made up of eighteen (18) Members, who must be elected to one (1) of the five (5) constituent district councils within Merseyside (Knowsley, Liverpool, Sefton, St Helens and Wirral), plus there is a further non-voting Independent Member who has been co-opted onto the Authority for standards and scrutiny purposes. Members of the Authority have a responsibility to the whole community of Merseyside and are directly accountable to the people of Merseyside for the running of the Fire & Rescue Service. Members also work closely with Officers in developing policies, plans and strategies to give direction to the Service and to ensure that Services are delivered in line with the Authority's objectives.

Members have agreed to follow an approved Code of Conduct designed to ensure high standards in the way they carry out their duties. The Audit Committee, assisted by the Appeals Committee where necessary, monitors standards and deals with any complaints. The Audit Committee additionally deals with any issues in respect of disciplinary procedures and any allegations thereof for Relevant Officers.

All Members meet and make decisions together as the Fire and Rescue Authority. Meetings of the Authority are normally open to the public. Members decide the Authority's overall policies and set the budget each year. At the Annual Meeting they establish and make appointments to the various committees, as well as appointing the Chair and Vice Chair of the Authority and its committees.

### How Decisions Are Made

The Authority has ultimate responsibility for decision making but has delegated many decisions to committees as part of their terms of reference (Articles 8 to 19) and officers as described in the Authority's Scheme of Delegated Powers.

### The Authority's Staff

The Authority has people working for it (described as "Officers") to give advice, to implement decisions and to manage and deliver Services. Some Officers are appointed by law, such as



the Chief Fire Officer, the Director of Finance and Procurement who is the Chief Financial Officer, and the Monitoring Officer. The Monitoring Officer has a specific legal duty to ensure that the Authority acts within the law. A Member Officer Relations Protocol has been approved to govern the relationships between Officers and Members of the Authority.

## Citizens' Rights

Citizens have a number of rights in their dealings with the Authority. Some of these are legal rights, whereas other rights depend upon the Authority's own processes. Citizens' rights include the following:

- The right to attend meetings of the Authority and its committees except where, for example, personal or confidential matters are being discussed.
- To inspect agendas and reports, except those which contain, for example, personal or confidential matters.
- To obtain a copy of the Constitution.

To see reports and background papers (save for exempt or confidential items) and to see records of decisions made by the Authority and its committees

- To complain to the Authority under the Authority's own complaints processes. To complain to the Ombudsman if they think the Authority has not followed its procedures properly, however, they should only do this after using the Authority's own complaints process.
- To complain to the Audit Committee via the Monitoring Officer to the Authority if they have evidence which they think shows that a Member has not followed the Authority's Code of Conduct.
- To inspect the Authority's accounts and to make their views known to the external auditor.

## Citizens' Responsibilities

The Authority welcomes the participation of citizens.

Citizens are expected to conduct themselves in a reasonable manner and must not be violent, abusive or threatening to Members or Officers or damage Authority owned property. Citizens should behave with due respect for the rights and opinions of others and have respect for the procedural decisions made by the Chair of any meeting.

## PART 2 – INTRODUCTION

### Article 1 – Purpose of the Constitution

#### 1.1 **Discharge of Functions**

The Authority will exercise its functions, powers, duties and responsibilities in accordance with this Constitution, within the law, fairly, equitably, openly and transparently and, in the best interests of the community of Merseyside as a whole with a view to achieving its mission to make Merseyside a safer, stronger community and to ensure safe, effective firefighters.

#### 1.2 **Purpose of the Constitution**

The purpose of this Constitution is to set out how the Authority works and how it makes decisions. This helps:

- a. Members to carry out their role as efficient and effective decisions makers.
- b. Ensure that the decision making processes are clearly identifiable to citizens.
- c. Provide citizens with information about their rights and right to be involved in the process of decision making.
- d. Provide a means for improving the democratic accountability of the Authority in the delivery of Services to the community.

#### 1.3 **Monitoring**

The Authority and Monitoring Officer will monitor and review the content of this Constitution and the way it works every year and make any changes that are considered appropriate.

### Article 2 – Membership of the Authority

#### 2.1 **Composition and Eligibility**

The Authority comprises eighteen (18) Members, who are elected councillors to one (1) of the five (5) constituent District Councils comprised within Merseyside. The constituent Councils appoint/elect Members to the Authority in accordance with the provisions of the Local Government Act 1985.

The Councillor appointments are made (subject to compliance with the political balance requirements of the Local Government and Housing Act 1989) in the following numbers:

Liverpool	6 Members
Wirral	4 Members
Sefton	4 Members
St Helens	2 Members
Knowsley	2 Members

- 2.2 Members may be removed from the Authority by their appointing Council, subject to their Council complying with the statutory requirements of the Local Government Act 1985 as to the periods of notice they must give.
- 2.3 If Members do not attend meetings of the Committees they are appointed to and for any Authority meetings for more than 6 months, without adequate reason, they may be suspended by law.

## Article 3 – Officers

### 3.1 Management Structure

- a. General – The Authority may appoint such staff (Officers) as it considers necessary to carry out its functions.
- b. Principal Officers – The Authority has designated as Principal Officers:
  - Chief Fire Officer (Statutory Officer)
  - Deputy Chief Fire Officer (Non Statutory Officer)
  - Assistant Chief Fire Officer (Non Statutory Officer)
- c. In addition the Solicitor to the Authority and Monitoring Officer is a Statutory Officer under Section 5 of the Local Government and Housing Act 1989 and the Director of Finance and Procurement is a Statutory Officer under Section 151 of the Local Government Act 1972, “the s.151 Officer” (also known as the Chief Finance Officer).

### 3.2 Functions of the Chief Fire Officer (CFO)

The Chief Fire Officer is the Head of Paid Service in law under s. 4 of the Local Government and Housing Act 1989 and is responsible for:

- a. Ensuring that the staffing needs of the organisation are adequate to perform the Authority’s statutory functions.
- b. Ensuring that the discharge of the Authority’s functions is efficiently and effectively co-ordinated.
- c. Arranging for and ensuring the proper appointment and management of the Authority’s staff.
- d. Arranging for and ensuring the effective organisation of the Authority’s staff in an appropriate structure with relevant departments.

### 3.3 Functions of the Monitoring Officer

The Monitoring Officer is required by s. 5 of the Local Government and Housing Act 1989 and is responsible for:

- a. *Maintaining the Constitution.* The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is available for inspection by Members, staff and the public.
- b. *Ensuring lawfulness and fairness of decision making.* After consulting with the Director of Finance and Procurement, the Monitoring Officer will report to the Authority in relation to any proposal, decision or omission which, in his/her view would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- c. *Responding to complaints from the Local Government Ombudsman.*
- d. *Supporting the Audit Committee in its Standards functions.* The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Audit Committee.
- e. *Conducting Investigations.* The Monitoring Officer will conduct or arrange for investigations into matters referred by the Audit Committee and report or arrange for reports to be made in respect of them to this Committee or the Appeals Committee as appropriate. The Monitoring Officer will also undertake, with others, investigations in accordance with the Authority's Whistleblowing (Confidential Reporting) Policy.
- f. *Proper Officer for access to information.* The Monitoring Officer will ensure that the requirements of the Local Government Act 1972, as amended, will be met in relation to the publication of relevant committee reports, background papers and decisions and that they will be made publicly available (subject to any restrictions on disclosure) as soon as possible.
- g. *Providing Advice.* The Monitoring Officer will provide advice on the scope of the powers of the Authority and its Committees to take decisions and in connection with matters involving maladministration and probity.
- h. *Restriction of Appointment.* The Monitoring Officer cannot be the statutory s.151 Officer (also referred to as the Chief Finance Officer). The Director of Finance and Procurement fulfils this role for the Authority

### 3.4 **Functions of the Director of Finance and Procurement**

The Director of Finance and Procurement as the s.151 Officer (also referred to as the Chief Finance Officer) for the Authority is required by Section 6 of the Local Government and Housing Act 1989 and Section 151 of the Local Government Act 1972 and is responsible for:

- a. *Ensuring lawfulness and financial prudence of financial decision making.* After consulting with the Monitoring Officer, the Director of Finance and Procurement will report to the Authority and to the Authority's external auditor, if he/she considers that any proposal decision or course of action will involve incurring unlawful expenditure or is unlawful and likely to cause a loss or deficiency, or if the Authority is about to enter an item of account unlawfully. He/she will also make a report to the Authority if it appears that

the expenditure of the Authority (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to meet that expenditure.

- b. *Administration of financial affairs.* The Director of Finance and Procurement has responsibility for the administration of the financial affairs of the Authority.
- c. *Contribution to corporate management.* The Director of Finance and Procurement is required to contribute to the corporate management of the Authority, in particular, through the provision of professional financial advice.
- d. *Providing advice.* The Director of Finance and Procurement will provide advice on the scope and powers of the Authority to take decisions about the financial impropriety, profit and budget and policy framework issues to the Authority and its Committees, Members and Officers and will support and advise Members and Officers in their respective roles.

### 3.5 **Duty to Provide Sufficient Resources to Monitoring Officer and the Director of Finance and Procurement**

The Authority will provide the Monitoring Office and the Director of Finance and Procurement with such Officers, accommodation and other resources as are in the opinion of those Officers required in their respective roles as required by law.

### 3.6 **Conduct**

Officers will comply with the Employee Code of Conduct.

### 3.7 **Employment**

The recruitment, selection and dismissal of Officers will comply with the Officer employment rules set out in this Constitution.

## Article 4 – Decision Making

### 4.1 **Responsibility for Decision Making**

Responsibility for decision making by the Authority, its Committees, any Sub-Committees and Officers is in accordance with this Constitution which comprises the record of responsibility for decision making.

### 4.2 **Principles of Decision Making**

All decisions of the Authority will be made in accordance with the following principles:

- a. Be within the lawful powers of the Authority.
- b. Due consultation where appropriate (including the taking of relevant professional advice from Officers).
- c. Respect for human rights.

- d. Presumption in favour of openness.
- e. Clarify of aims and desired outcomes.
- f. Within the letter and spirit of the Constitution.

#### 4.3 **Types of Decisions**

Decisions relating to the functions listed in Article 3.2 to 3.4 will be made by the Authority and not delegated.

#### 4.4 **Decision Making by the Authority and its Committees and Sub-Committees**

The Authority, Committee and Sub-Committee meetings will comply with the Authority's procedural standing orders when considering any matter.

#### 4.5 **Decisions Made by the Authority Acting in Quasi-judicial Capacity**

The Authority and its Committees and Sub-Committees, Members or Officers when acting in a quasi-judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations of any person, will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.

#### 4.6 **Decision Making by Officers**

Officers have full authority for operational and managerial decision making and for any necessary action within their authorised remit in accordance with the terms of the Scheme of Delegation.

### Article 5 – Finance, Contracts and Legal Matters

#### 5.1 **Financial Management**

The management of the Authority's financial affairs will be conducted in accordance with the Financial Regulations.

#### 5.2 **Contracts**

Contracts made by the Authority will comply with the Authority's Contract Standing Orders.

#### 5.3 **Legal Proceedings**

The Monitoring Officer, in her/his capacity as Solicitor to the Authority, is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Authority or in any case where the Monitoring Officer considers that such action is necessary to protect the Authority's interests. The delegated powers invested in the Monitoring Officer are provided in the Scheme Delegation.

#### **5.4 Authentication of Documents**

Where any document is necessary to any legal procedure or proceedings on behalf of the Authority, it will be signed by the Monitoring Officer in her/his capacity as Solicitor to the Authority or by some person duly authorised by the Authority or the Monitoring Officer unless any enactment otherwise authorises or requires. The procedural rules/standing orders of the Authority in relation to contracts that are set out in Contract Standing Orders, make further provision in relation to formal processes involving the award of contracts.

#### **5.5 Common Seal of the Authority**

The common seal of the Authority will be kept in a safe place in the custody of the Monitoring Officer. A decision of the Authority, a committee or sub-committee or any authorised Officer, will be sufficient authority for sealing any document necessary to give effect to such a decision. The common seal will be affixed to such documents as are, in the opinion of the Monitoring Officer, appropriate for sealing. The Monitoring Officer, or some other person authorised by her/him shall witness the affixing of the common seal.

### **Article 6 – Review and Revision of the Constitution**

#### **6.1 Duty to Monitor and Review the Constitution**

- a. The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.
- b. A key role for the Monitoring Officer is to be aware of the strengths and weaknesses of the Constitution adopted by the Authority and to make recommendations for ways in which it could be amended in order to better achieve its purposes. In performing this duty, the Monitoring Officer may:
  - I. attend and observe meetings of different parts of the Member and Officer structure;
  - II. examine the audit trail relating to decision making;
  - III. record and analyse issues raised with her/him by Members, Officers, the public and other relevant stakeholders; and
  - IV. compare practices in the Authority with those in other comparable Authorities or national examples of best practice.

#### **6.2 Changes to the Constitution**

- a. Approval

Changes to the Constitution will only be approved by the Authority after consideration of proposals submitted by the Monitoring Officer.

## Article 7 – Suspension, Interpretation and Publication of the Constitution

### 7.1 **Suspension of the Constitution**

#### a. Limit to Suspension

The articles of this Constitution may not be suspended other than to the extent permitted within these rules and the law.

#### b. Rules Capable of Suspension

The following rules may be suspended in accordance with this Article 7:

- I. Authority procedure/standing order rules
- II. Access to information
- III. Budget and policy framework procedure rules
- IV. Officer employment procedure rules
- V. Financial regulations
- VI. Contract Standing Orders

### 7.2 **Interpretation**

- a. Except as otherwise provided and subject to (b) below, the decision of the Monitoring Officer on the interpretation of the Constitution shall be final.
- b. In relation to proceedings of the Authority, the ruling of the Chair of the Authority as to the construction or application of this Constitution shall be final at any meeting of the Authority.

### 7.3 **Publication**

- a. The Monitoring Officer will arrange to provide a copy of this Constitution to each Member of the Authority as soon as practicable after that Member has signed the Code of Conduct declaration, following appointment to the Authority.
- b. The Monitoring Officer will arrange for the Constitution to be available for inspection at Fire and Rescue Service Headquarters and at other appropriate locations and by publication on the Authority's official website.



## PART 3 – RESPONSIBILITY FOR FUNCTIONS

### Article 8 – Roles and Functions of Members

8.1 All Members are expected to:

- a. Act corporately for the good governance of the Authority, balancing the needs of the whole community of Merseyside with their role as a local representative.
- b. To represent actively, promote and support the work of the Authority in the provision of Fire and Rescue Services within the whole area and community of Merseyside with a view to the Authority achieving its mission, aims and objectives.
- c. On a regular basis, to attend meetings of the Authority and any Committees, Sub-Committees, working parties or external bodies to which the Member has been appointed and fully participate in policy formulation and decision making including the development of strategic policies, determination of the budget and approving the Integrated Risk Management Plan in accordance with principles of good public governance. This includes a requirement to act at all times in accordance with:
  - I. Statutory and the legal requirements
  - II. The Code of Conduct for Members
  - III. Standing Orders for Members
  - IV. The Member/Officer Protocol
- d. Attend at Member training events/learning lunches regularly and support the Authority's Member Development Strategy.
- e. Represent the Authority throughout the area of Merseyside.
- f. If appointed by the Authority to an external body; represent the interests of the Authority on that body.
- g. To be actively aware of all issues inside and outside of the Authority, relevant to the provision of Fire and Rescue Services in order to fulfil a community leadership and representative function, working as necessary in partnership with other local organisations in order to effectively promote the safety and well-being of the whole community of Merseyside.

The Authority is a legal entity and has responsibilities and duties under a wide area of legislation. When making decisions the Authority must take these duties into account.

## Article 9 – Roles and Responsibilities of Designated Office Holders

### 9.1 **Chair of the Authority**

The role and responsibilities of the Chair of the Authority are:

- a. To provide overall political leadership to the Authority.
- b. To chair meetings of the Authority and to ensure its overall effectiveness.
- c. To have a working knowledge of the Authority's Procedural Standing Orders, relevant policies and strategies and to ensure that he/she is sufficiently and effectively brief by Officers on matters coming before the Authority's committees/sub-committees.
- d. To provide effective leadership in the development of the Authority's policy, strategy and budget proposals.
- e. To lead on the implementation of effective service delivery and the Authority's approved policies and strategies.
- f. To act as the Authority's principal Member spokesperson at local, regional and national level.
- g. To seek to ensure that good working relationships are established with external public and private sector bodies and networks relevant to the efficient discharge of the Authority's functions.
- h. To lead in the development of good working relationships between the leaders of political groups represented on the Authority.
- i. To promote good working relationships between Members and Officers of the Authority so that Authority business is conducted in the most efficient and effective way possible.

### 9.2 **Vice Chair of the Authority**

The role and responsibilities of the Vice Chair of the Authority are:

- a. To support the Chair of the Authority in discharging the roles and responsibilities associated with the office of Chair.
- b. To deputise for the Chair in his/her absence.

### 9.3 **Party Group Leaders/Spokespersons**

The role and responsibilities of the Group Leaders or Spokespersons of the Authority are:

- a. To ensure their party contributes effectively, positively and constructively to the Authority's activities.
- b. To act as the principal political spokesperson for the political group.

- c. To provide leadership to their party group.

#### 9.4 **Chairs of Committees and Sub-Committees**

The roles and responsibilities of all Committees/Sub-Committees are:

- a. To chair the Committee/Sub-Committee and ensure its overall effectiveness.
- b. To have a working knowledge of the Authority's Procedural Standing Orders and to ensure that he/she is sufficiently and effectively briefed by Officers on matters coming before the Committee/Sub-Committee.
- c. To co-ordinate and manage the work of the Committee/Sub-Committee.
- d. To support the role of the Chair of the Authority in the development of policy, strategy and budget proposals.

#### 9.5 **Rights and Duties of Members**

Members have rights of access to documents, information, land and buildings of the Authority that are necessary for them to properly carry out their duties in relation to their membership of a Committee or Sub-Committee.

A Member of the Authority may, only for the purposes of his/her duty as a Member, inspect any document which has been considered by a Committee, or a Sub-Committee or by the Authority and shall, on request to the Monitoring Officer, be given a copy of a document if practicable. If a Member requests a report to a Committee of which they are not a Member this will be provided on a "need to know" basis only after consultation between the Monitoring Officer and the Chair.

This is providing that a Member does not knowingly ask to see a document relating to a matter in which he/she is professionally interested or in which he/she has directly or indirectly any prejudicial interest within the meaning of the Local Government Act 2000 or the Localism Act 2011 and/or related Regulations or the Code of Conduct. At any time the Monitoring Officer can refuse a request to see any document which is, or in the event of legal proceedings, would be protected by privilege arising from the relationship of solicitor and client.

All Reports made or minutes kept by any Committee or Sub-Committee shall be open for the inspection of any Member of the Authority during office hours. All reports and minutes, unless exempt from publication, are also available on <http://www.merseyfire.gov.uk>.

Subject to any statutory provision in that behalf, no Member of the Authority shall, without the consent of the Authority, be entitled to inspect any document in the custody of any Officer of the Authority if, in the opinion of that Officer and the Monitoring Officer, the document is of a confidential nature.

**9.6 Inspection of Lands, Premises etc.**

Unless specifically authorised to do so by the Authority or a Committee, or Sub-Committee, a Member of the Authority shall not issue any order respecting any works which are being carried out by or on behalf of the Authority or claim by virtue of his/her membership of the Authority any right to inspect or enter upon any lands or premises of the Authority or which the Authority has the power or duty to inspect or enter.

Members will not make public information, which is confidential or exempt, without the consent of the Authority on the advice of the Monitoring Officer or communicate information given in confidence to anyone other than a Member or Officer of the Authority entitled to know it.

**9.7 Appointment of Relatives of Members**

A candidate for any appointment to the Service or Authority who knows that he/she is related to any Member of the Authority shall, when making application, disclose that relationship to the Chief Fire Officer and Monitoring Officer. A candidate who fails to disclose such relationship shall be disqualified from the appointment and if appointed shall be liable to dismissal without notice. Every Member of the Authority shall disclose to the Monitoring Officer every relationship known to him/her to exist between himself/herself and any person whom he/she knows is a candidate for an appointment under the Authority. The Monitoring Officer shall report to the Authority any such disclosure made to him/her.

**9.8 Failure to Attend Meetings**

Subject to the provision of Section 85 Local Government Act 1972, any Member failing to attend any meeting of the Authority or its Committees for a period of six months, ceases to be a Member of the Authority unless within that period that Member's absence is approved by the Authority.

The Monitoring Officer will monitor absences from meetings and unless approval for any absence is given by the Authority will report the failure to attend to the Authority in order that it may declare a vacancy and notify the relevant constituent council.

**9.9 Conduct**

Member will, at all relevant times, observe the Members Code of Conduct and the Member/Officer relations Protocol.

**9.10 Allowances**

Members will be entitled to receive allowances in accordance with the Members' Allowance Scheme.

## Article 10 – The Authority

### 10.1 **Legal Structure/Delegations**

The Authority has the legal responsibility for making decisions about matters concerning the functions, powers, duties and responsibilities of the Authority. The Authority has delegated a range of decision making powers about various matters to Committees and Officers as set out in this Constitution but has otherwise reserved powers to itself. The use of any delegated powers and decision making by Committees and Sub-Committees appointed by the Authority and described in this Constitution shall be subject to:

- a. Statutory or legal requirements.
- b. Standing orders and financial regulations of the Authority.
- c. Strategic and corporate policies adopted by the Authority and/or directions given by the Authority in relation to the exercise of delegated functions.

Delegated powers do not prevent a Committee or Sub-Committee referring matters to the Authority or prevent the Authority from exercising those powers itself unless a decision has already been made and acted upon in line with the approved terms of reference and delegated authority.

The exercise of certain delegated powers existing in the Authority's Scheme of Delegation or otherwise granted to Officers of the Authority must be recorded and published under the provisions of the Openness of Local Government Bodies Regulations 2014.

### 10.2 **Functions Reserved to the Authority**

Only the Authority will exercise the following functions:

- a. Variations to standing orders and financial regulations subject to the advice and recommendations of the Monitoring Officer.
- b. The revenue budget and capital plan, levying or issuing of a precept or borrowing on money, subject to the advice and recommendations of the Director of Finance and Procurement.
- c. Adopting a Member's Allowances scheme.
- d. Appointing the Chair and Vice Chair of the Authority and the Chairs of the Committees and any Sub-Committees of the Authority.
- e. Any other matters which by law must be reserved to the Authority itself.

### 10.3 **Terms of Reference of the Fire and Rescue Authority**

- a. Approve new policies or substantive changes in policy relating to the development and delivery of Services appropriate to this Authority.
- b. To have oversight of the preparation of the Authority's Strategic and Integrated Risk Management Plans, including due consideration of any

recommendations of the Audit Committee, the Scrutiny Committee or the Chief Fire Officer.

- c. Determine the Authority's Precept.
- d. Approve the Authority's Budget.
- e. Approve Delegated Powers to Officers.
- f. Refer any matter to the Scrutiny Committee or to establish a Task and Finish Group/Rapid Review where it is considered the matter requires further/in depth scrutiny.
- g. Have responsibility for the monitoring of the Authority's Risk Management Strategy.
- h. Co-ordinate as necessary the response of the Authority to any reports received from Auditors, or any Constituent District Council.
- i. Determine issues related to the liaison with and representation upon outside bodies and organisations.
- j. To consider all matters relating to Merseyside's interest in Europe.
- k. To consider and approve response to such statutory consultation documents as may have consequent implications for the Authority with respect to Governance arrangements, corporate risk management and business continuity.
- l. Maintain an overview of the effectiveness of the Constitution.
- m. Monitor effectiveness and outcomes relating to Authority policies on Whistle Blowing, anti-fraud and anti-corruption.
- n. Consider any matter which requires a decision by a designated committee or sub-committee, but cannot await the next meeting of that designated committee.

#### 10.4 **Equality and Diversity Activity**

To receive and approve officer's reports relating to Equality and Diversity and relating to monitoring and progress against objectives and in making decisions to have full regard to the Authority's Public Equality Duties and its duties under Health and Safety and Environmental and other legislation.

#### 10.5 **Authority Meetings**

There are three types of Authority meetings:

- I. The Annual Meeting.
- II. Ordinary meetings.
- III. Extraordinary meetings.

In addition, there are meetings of Committees and Sub-Committees. These meetings will be conducted in accordance with the Authority's standing orders/procedural rules.

#### 10.6 **Chairing the Authority**

- a. Electing the Chair and Vice Chair of the Authority. The Chair and Vice Chair of the Authority will be elected by the Members at the Annual Meeting.
- b. Roles and Responsibilities of the Chair and in his/her absence the Vice Chair of the Authority.

The Chair will preside over Authority meetings and ensure that they are conducted in accordance with the standing orders and procedural rules of the Authority as set out in Procedural Standing Orders of this Constitution. In addition, the Chair will discharge the roles and responsibilities set out in Article 2 of this Constitution.

#### 10.7 **Quorum**

There must be at least eight (8) voting Members present at any full Authority meeting.

### Article 11 – The Policy and Resources Committee

#### 11.1 **Terms of Reference**

- a. Under delegated powers, determine new policies or substantive changes in policy relating to the development and delivery of Services appropriate to this Committee.
- b. Oversee the Authority Communication and Consultation Strategy and receive related reports.
- c. Convene any Working Parties or Task Groups as may be appropriate to assist in fulfilling the duties of the Committee.
- d. Consider and if appropriate, determine under delegated powers any other matters, which may be referred to the Committee by the Authority, the Audit or Scrutiny Committee.
- e. Consider and determine under delegated powers any matter which requires a decision by the Authority which cannot await its next meeting.
- f. Consider all matters related to the management of the Authority's assets including buildings, land, ICT and other assets.
- g. Oversee the Authority's procurement strategy including potential for commissioning Services.
- h. Consider all matters related to the maintenance of the North West PFI Project.
- i. Contribute towards the overall savings target of the Authority, through the regular scrutiny of expenditure and other budget related issues.

- j. Exercise financial control over expenditure within the approved revenue budgets and capital programme of the Authority.
- k. Establish and direct procedures for the implementation, monitoring and amendment of the revenue budget and capital programme.
- l. Consider recommendations to incur expenditure on the capital account.
- m. Consider recommendations for supplementary estimates within available resources.
- n. Consider proposals to exercise virement between lines within the approved budget.
- o. Consider policies for the raising and investment of funds.
- p. Consider proposals for awards of contracts.
- q. Consider proposals involving the increasing or reduction of income including the writing off of monies owed to the Authority.
- r. In making decisions to have full regard to the Authority's public equality duties and its duties under Health and Safety and Environmental and other legislation.
- s. To refer any reports required by Members to Audit Committee where appropriate.

## 11.2 **Membership**

Nine (9) voting Members of the Authority according to political proportionality.

## 11.3 **Quorum**

Six (6) voting Members.

# Article 12 – The Community Safety and Protection Committee

## 12.1 **Terms of Reference**

- a. Under delegated powers, determine new policies or substantive changes in policy relating to the development and delivery of Services appropriate to this Committee.
- b. Consider all matters related to the delivery of Services to the diverse communities of Merseyside and the development, promotion and delivery of a co-ordinated strategy for developing and maintaining safer communities.

To include matters relating to:



Operational Preparedness, Operational Response and Community Risk Management

- c. Consider and determine where appropriate all matters related to the Civil Contingencies function of the Authority.
- d. Consider the opportunities for and delivery of shared Services and/or collaboration with other agencies.
- e. Consider all matters referred by the North West Fire and Rescue Forum.
- f. Consider all matters relating to involvement with and delivery of Services delivered jointly by the NW Fire and Rescue Services.
- g. Consider and where appropriate determine all matters relating to Fire Safety Legislation.
- h. To consider all matters relating to the development of the City Region/Mersey region agenda.
- i. Consider any matters relating to the provision of Services to the diverse communities of Merseyside.
- j. Convene any Rapid Reviews following referral to the Scrutiny Committee as may be appropriate to assist in fulfilling the duties of the Committee.
- k. Consider and if appropriate, determine under delegated powers any other matters, which may be referred to the Committee by the Authority, or the Audit Committee.
- l. Consider and determine under delegated powers any matter which requires a decision by the Authority which cannot await its next meeting.
- m. In making decisions to have full regard to the Authority's public equality duties and its duties under Health and Safety and Environmental and other legislation.
- n. To refer any reports required by Members to the Audit Committee where appropriate.

**12.2 Membership**

Nine (9) voting Members of the Authority according to political proportionality.

**12.3 Quorum**

Six (6) voting Members.

## Article 13 – The Scrutiny Committee

### 13.1 **Terms of Reference**

- a. To review and/or scrutinise the objectives of the Authority's Integrated Risk Management Plan (IRMP) and performance against these objectives.
- b. To carry out joint member/officer pre and post-implementation scrutiny of any major project, scheme, or key decision taken by the Authority or its standing committees.
- c. To make recommendations to the Policy and Resources Committee and/or the Community Safety and Protection Committee and/or Authority arising from the outcome of the scrutiny process and how any improvements can be made.
- d. To agree and action a scrutiny forward work programme throughout the year and from meeting to meeting that includes matters relating to the performance of the Authority against the IRMP or any such issues referred to by the full Fire Authority and report back.
- e. To participate in, determine and undertake a programme of Rapid Reviews with a view to effecting continuous improvements in the way Services are delivered, having regard to a combination of economy, efficiency and effectiveness.
- f. To appoint relevant member(s) and officers to individual efficiency reviews.
- g. To consider reports on the outcome of reviews and the relevant recommendations and to monitor their implementation on a regular basis.
- h. To convene Rapid Reviews to undertake detailed work involving relevant Scrutiny Members, key reference holders and relevant officers.
- i. To receive reports and information from officers, members, organisations and individuals as required by the Committee to further its work, and to interview members, officers, staff and comparable organisations as appropriate.
- j. Question and gather evidence from any person (with their consent).
- k. In making decisions to have full regard to the Authority's public equality duties under Health and Safety and Environmental and other legislation.

### 13.2 **Membership**

Nine (9) voting members and one (1) independent member.

Quorum : six (6) voting members.

### 13.3 **Rapid Reviews**

- a. To adopt the forward plan for Scrutiny.
- b. To ensure full and through scrutiny of the subject matter.
- c. To work with Officers to ensure ongoing progress and high performance in delivering a service.
- d. To consider the role of stakeholders and the community in scrutiny.
- e. To contribute to reports on the outcomes of rapid reviews.

### 13.4 **Membership**

Up to six (6) and no less than four (4) voting Members of the Scrutiny Committee as well as the Independent Member.

### 13.5 **Quorum**

Four (4) voting Members.

## Article 14 – The Joint Fire and Police Collaboration Committee

### 14.1 **Terms of Reference**

- a. To act as a Strategic Board to oversee collaboration between Merseyside Police (MP) and Merseyside Fire and Rescue Authority (MFRA).
- b. To consider reports on progress towards budget savings created by collaboration on operational issues.
- c. To consider reports on progress towards budget savings created by collaboration on shared premises wherever possible.
- d. To consider proposals created by an Officer led project group to share transactional support services and associated cost savings and timescales for this.
- e. To consider any other potential opportunities to make savings by shorter or longer term proposals.
- f. To make recommendations to the Police and Crime Commissioner and Merseyside Fire and Rescue Authority about potential collaboration opportunities between MP and MFRA.
- g. To provide a template for future developments in legislation around collaboration.

## 14.2 **Membership**

Five (5) voting Members.

Four (4) Members of MFRA (comprising of the Chair of the Authority and the Vice-Chair of the Authority; plus the Police and Crime Commissioner for Merseyside.

One (1) co-opted Member representing Merseyside Police (comprising of the Deputy Police and Crime Commissioner).

## 14.3 **Quorum**

Three (3) voting Members.

## Article 15 – Audit Committee

### 15.1 **Terms of Reference**

#### **Audit Activity**

- a. To consider the internal auditor's annual report and opinion, and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Authority's corporate governance arrangements.
- b. To consider and approve summaries of specific internal audit reports as requested.
- c. To consider reports dealing with the management and performance of the providers of internal audit Services.
- d. To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale.
- e. To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.
- f. To consider specific reports as agreed with the external auditor.
- g. To comment on the scope and depth of external audit work and to ensure it gives value for money.
- h. To ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies and that the value of the audit process is actively promoted.
- i. To commission work from internal and external audit.
- j. To approve the Treasury Management (Year End) Report.

## **Regulatory Framework**

- a. To maintain an overview of the Authority's constitution in respect of contract procedure rules, financial regulations and codes of employee conduct and behaviour.
- b. To review any issue referred to the Committee by the Chief Fire Officer, Deputy Chief Fire Officer or the Director of Finance and Procurement or member of the Authority's Strategic Leadership Team.
- c. To monitor the effective development and operation of risk management and corporate governance in the Authority.
- d. To monitor Authority policies on Whistleblowing and the anti-fraud and anti-corruption strategy and the Authority's complaints process.
- e. To consider the Authority's arrangements for corporate governance agreeing necessary actions to ensure compliance with best practice.
- f. To approve the Authority's Annual Governance Statement.
- g. To consider the Authority's compliance with its own and other published standards and controls.

## **Accounts**

- a. To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.
- b. To consider the external auditor's report to those charged with governance on issues arising from the audit of accounts.
- c. Approve the audited Statement of Accounts and approve publication of the sae (NB: this can also be approved by the Policy and Resources Committee if necessary).

### **15.2 Members' Code of Conduct**

To determine allegations made under the Member Code of Conduct Procedure and refer sanctions proposed and any complaint allegation requiring further investigation to the Authority's Appeals Committee.

### **15.3 Discipline Procedures for Statutory and Relevant Officers**

- a. To act as the Investigating and Disciplinary Committee where an allegation is made against the Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officer, Monitoring Officer or the Director of Finance and Procurement in line with the Authority's policy for Discipline Procedures for Statutory Officers.
- b. To determine whether any allegation of misconduct by a statutory/relevant officer should be investigated by an independent investigator.

- c. To determine whether the statutory/relevant officer subject to the allegation should be suspended while the investigation is conducted.
- d. To appoint the independent investigator subject to the involvement of the statutory/relevant officer.
- e. Appoint independent Members to the Independent Panel.
- f. To consider the outcome of any resultant investigation and representations from the statutory/relevant Officer and either:
  - I. Determine there is no case to answer.
  - II. Determine a sanction short of dismissal.
  - III. Recommend dismissal to the full Authority.

#### 15.4 **Membership**

Five (5) voting members.

#### 15.5 **Quorum**

Three (3) voting members.

### Article 16 – The Appeals Committee

#### 16.1 **Terms of Reference**

- a. Consider and determine Appeals referred from the Audit Committee in relation to the Members Code of Conduct.
- b. Consider and, if appropriate, determine any other matters which may be referred to the Committee by the Authority, or any committee.
- c. In making decisions to have full regard to the Authority's public equality duties and its duties under Health and Safety and Environmental and other legislation.

#### 16.2 **Membership**

Chair of the Authority, Vice Chairs and Party Group Leaders.

#### 16.3 **Quorum**

At least one (1) Member from the controlling political party and at least one (1) Member from another political party represented on the Authority and to include either the Chair of the Authority or the Vice Chair of the Authority.

## Article 17 – The Appointments Committee

### 17.1 **Terms of Reference**

- a. To consider and determine for appointment to the posts and offices of the Chief Fire Officer, Deputy Chief Fire Officer, the Director of Finance and Procurement, Monitoring Officer and any other posts referred to the committee for consideration.
- b. To make appointments to the above posts on behalf of the Authority.
- c. To consider and, if appropriate, determine any other matters which may be referred to the Committee by the Authority.

### 17.2 **Membership**

The Chairs and Vice Chair of the Authority, Party Group Leaders/Spokesperson.

### 17.3 **Quorum**

At least one (1) Member from the controlling political party and at least one (1) Member from another political party represented on the Authority and to include either the Chair of the Authority or at least one (1) of the Vice Chair of the Authority.

## Article 18 – Member Development and Engagement Group

### 18.1 **Terms of Reference**

- a. To promote the continuous development of Members of the Authority in a manner that will increase their capacity still further to meet the Authority's mission and aims.
- b. To consider proposals and options for arrangements in respect of Member's training and development and from time to time to make recommendations to the Authority.
- c. To monitor from time to time the existing arrangements for Members training and development and identify any relevant issues and report to the Authority.
- d. To liaise with the Authority's officers responsible for devising and implementing training and development for employees, with a view to promoting integration and avoiding duplication where appropriate.
- e. To encourage feedback from Members who attend conferences, training and events to consider the value and appropriateness of attendance at such events and report findings to the Authority.

### 18.2 **Membership**

Four (4) elected Members with at least one (1) from each political group.

### 18.3 Quorum

As this is a working group there is no quorum, however at least one (1) Member should be in attendance.

## Article 19 – Local Pension Board (Firefighter’s Pension Scheme(s))

19.1 The Authority has established a Local Pension Board (LPB) to assist the Authority in its role as ‘Scheme Manager’ for the Firefighters’ Pension Scheme(s), as required by the Pension Scheme (Amendment) (Governance) Regulations 2015 Regulation 4A. The (LPB) is responsible for assisting the Scheme Manager (or nominated officer) in securing compliance with:

- a. Scheme regulations.
- b. Other governance and administration legislation.
- c. Any requirements of The Pensions Regulator
- d. Additional matters, if specified by scheme regulations.

19.2 The 2015 Firefighters’ Pension Scheme regulations require the LPB to assist the Scheme Manager in ensuring the effective and efficient governance and administration of the scheme. This is potentially a wide ranging role and allows, for instance, the LPB to look at the systems underpinning the administration of the scheme or how decisions are taken. However, the LPB is not a decision making body. The LPB has an equal number of employer representatives and member representatives (3 of each).

## Article 20 – Scheme of Delegation to Officers

This scheme grants powers to Officers to exercise powers and carry out duties of the Authority under various Statutes, Orders, Regulations and Byelaws and Common Law.

The Openness of Local Government Bodies Regulations 2014 require the approval of certain delegated powers to Officers to be recorded and published. Such delegations concern the exercise of powers which affect the rights of individuals the granting of a permission or licence or the award of a contract or incurring of expenditure which, in either case, materially affects the Authority’s financial position.

The Monitoring Officer and/or the Director of Finance and Procurement to the Authority or their designated Deputy shall advise the Authority of circumstances as and when this will be necessary.

### 20.1 Conditions of Delegations

- a. It is the duty of Officers to whom the exercise of powers is delegated to keep Members of the Authority informed of activity arising within the scope of the delegated powers given to them.
- b. In exercising delegated powers, Officers shall consult with each other as appropriate in the circumstances and shall have regard to any advice given.



- c. It shall always be open to an Officer to seek authority or guidance from the Authority (particularly Statutory Officers) and to elect not to exercise delegated powers; or to consult with Members on the exercise of delegated powers.
- d. The exercise of delegated powers by an Officer shall be in accordance with:
  - I. The policies of the Authority and its decisions from time to time.
  - II. The Authority's Standing Orders and Financial Regulations.

## 20.2 Powers Not to be Delegated

- a. Any matter reserved to the Authority.
- b. Any matter which may, by law, not be delegated to an Officer.
- c. Any decision relating to the functions listed in Article 3.2 to 3.4.
- d. Where to do so would effectively result in the Officer making a decision reviewing their own decision in relation to pension, disciplinary or any other matters.
- e. Where to do so would result in a breach of the Authority's Contract Standing Orders for the time being in force.
- f. In respect of action constituting the grant of an exemption under Contract Standing Orders, or the award of a Contract the value of which exceeds £250,000.
- g. In respect of action constituting the entering into of sponsorship arrangements, the value of which exceeds £25,000.
- h. In respect of action constituting the appointment or dismissal of the Chief Fire Officer, the Deputy Chief Fire Officer, the Director of Finance and Procurement (as the s.151 Officer/Chief Finance Officer) or the Monitoring Officer.
- i. Where to do so would result in the Authority incurring expenditure for which no budgetary provision exists within the budget heads for which the Officer proposing to exercise delegated powers is responsible.
- j. Where to do so would result in expenditure entailing the virement of sums in excess of £50,000 from one (1) budget line approved by the Authority to another budget line.
- k. Where to do so would result in the Authority incurring expenditure on hospitality in excess of £800 on any occasion or in breach of any guidance issued by the Authority.
- l. No Officer other than the Director of Finance and Procurement (as the s.151 Officer/Chief Finance Officer) shall have the power to write off debts due to the Authority or equipment or other assets held by the Authority. The Director of Finance and Procurement (as the s.151 Officer/Chief Finance Officer) shall have power to write off debts and assets up to the value of £5000 but shall exercise such power only if satisfied that:

- I. it would not be cost effective to expend additional resources to recover the amounts owed, or
  - II. every reasonable effort has been made to recover the amounts due, and further action is likely to damage the reputation of the Authority, or
  - III. the debt is legally irrecoverable, and
  - IV. that the Authority has not reserved such a decision to itself.
- m. The term "Officer" means the holder of a post named as having delegated powers or duties under this scheme.

### 20.3 Delegations to the Chief Fire Officer

(and in their absence the Deputy Chief Fire Officer) who may further delegate to any member of the Strategic Leadership Team or a Head of Service as appropriate.

- a. To make a formal response on behalf of the Authority to any White Paper, Green Paper, Government Consultation Paper or Draft European Union Directive without reference first to the Authority, when the timescale does not allow, after consultation with the Chair and Vice Chairs of the Authority and each of the Party Group Leaders.
- b. To control all matters of the day to day administration of the Fire and Rescue Service which shall include taking and implementing decisions that are:
  - I. Concerned with maintaining the operational effectiveness of the Service;
  - II. matters incidental to the discharge of the Authority's functions which fall within a policy decision taken by the Authority.
- c. To make, issue and serve such Notices, Orders, Statements and other documents as may be necessary or appropriate for the above purposes or to give effect to, or carry out any decision of him/her under powers delegated to him/her under this scheme.
- d. To submit comments on any town and country planning matter, Building Regulations, Safety or Sports Grounds and other applications or licenses, where the Authority is a consultee, statutory or otherwise.
- e. To exercise all the powers of the Authority as an enforcement authority under relevant legislation, without prejudice to the generality of this position he/she may in particular:
  - I. authorise the commencement of criminal proceedings (after consultation with the Monitoring Officer) for any breach of any law or regulation, the enforcement of which the Authority is empowered to undertake;
  - II. take appropriate action on behalf of the Authority under the Regulatory Reform (Fire Safety) Order 2005 and/or other Enforcement legislation in force from time to time;
  - III. designate persons as Inspectors under Article 26 of the Fire Safety Order and the Health and Safety at Work Act 1974;

- IV. authorise named members of staff in writing to exercise statutory powers conferred on the Authority under Article 27 of the Fire Safety Order;
- f. To ensure that nationally and locally agreed conditions of service are properly implemented.
- g. After consultation with the Director of Finance and Procurement to authorise the implementation of any nationally agreed pay award in respect of all employees, subject to any element of discretion being referred to the Authority for consideration.
- h. To manage all staff, staffing structures and decide on personnel issues in line with agreed Authority policies.
- i. To vary the grading of individual non-uniformed posts up to (but not including) the Director of Finance and Procurement (including progression within and between grades) having regard to the national Job Evaluation Scheme and in consultation with the relevant trade union(s).
- j. To make and terminate appointments of uniformed and non-uniformed staff up to (but not including) those posts to be made/terminated by the Appointments Committee.
- k. To ensure that the Fire Authority's disciplinary policy and procedures, based on the Advisory, Conciliation and Arbitration Service (ACAS) best practice guidance, are properly applied and enforced.
- l. To hear disputes under the first stage of the Internal Disputes Resolution Procedure, which have been lodged in relation to the Firefighters Pension Scheme or the Local Government Pension Scheme.
- m. To manage and maintain land and property daily, whether owned or leased.
- n. To deal with any urgent matters, not otherwise delegated, in consultation with the Director of Finance and Procurement, Monitoring Officer, Chair and Vice Chair.
- o. To provide a strategic lead in promoting and maintaining the Authority and Service's commitment to Equality and Diversity, Environmental issues and Health and Safety, through the Strategic Leadership Team.

**20.4 Delegations to the Monitoring Officer**

(and in their absence their nominated deputy).

- a. To take all necessary steps, including the obtaining of Counsel's advice, in connection with any matter concerning the Authority and incur expenditure in connection therewith.
- b. To institute on behalf of the Authority such proceedings or to take such other steps as he/she may consider necessary to:

- I. secure the payment of any debt;
  - II. recover possession of any land;
  - III. enforce the performance of any obligations due to the Authority and to take such steps as he/she may consider necessary to enforce any judgement or order obtained in any such proceedings after consultation with the Chair of the Authority;
  - IV. sign or affix the Authority's seal to documents necessary to give effect to property or other matters dealt with pursuant to these delegated powers.
- c. To enter a defence to any claim brought against the Authority.
- d. To take all action on behalf of the Authority in respect of claims by or against the Authority where the Authority is insured in respect of such claims subject to:
- I. sufficient budgetary provision being available and a report to the Director of Finance and Procurement following the exercise of such power;
  - II. the terms of any settlement complying with the recommendations of the Solicitor acting for Authority's insurer;
  - III. the delegated power being limited to settlement of claims by or against the Authority up to a maximum of £2000,000.
- e. To execute and issue all legal documents (including all contracts) necessary to implement decisions made by the Authority or its committees or Officers in pursuance of delegated powers, except where another Officer has been authorised to take such action or the Monitoring Officer has authorised him/her to do so.
- f. To authorise any person to appear on behalf of the Authority in any court, tribunal or inquiry on any matter relating to the business of the Authority.
- g. The above powers may be delegated to the Senior Solicitor by the Monitoring Officer.
- h. To ensure compliance on behalf of the Authority with the Public Services (Social Value) Act 2012.

## **20.5 Delegations to the Authority Director of Finance and Procurement**

(and in their absence their nominated deputy).

- a. To undertake all matters of day-to-day financial administration for the Service, in accordance with the Standing Orders and Financial Regulations of the Authority.
- b. In agreement with the Chief Fire Officer, and after consultation with the Chair and Vice Chair, in cases of urgency to approve virement, within revenue and capital budgets not otherwise covered by the Director of Finance and

Procurement's delegated authority. Action taken under this delegation must be reported to the next meeting of the Authority.

- c. To approve supplementary revenue votes for items which are of a formal unavoidable or relatively small amount and which are not inconsistent with approved budgetary policy, and which:
  - I. result from pay awards or price increases not taken into account in approved budgets;
  - II. result from expenditure arising from the mandatory implementation of Acts of Parliament or other Government directives;
  - III. relate to goods, services or other expenses which were budgeted for and properly ordered or committed in the previous year but which, owing to delays in delivery or execution, have to be accounted for in the following year. (It is implicit that the original budgetary provision should remain unspent at the end of the year of provision);
  - IV. are urgently necessary to maintain existing services and cannot reasonably be met from appropriate approved budgets;
  - V. do not exceed £10,000 in total for any one (1) purpose and do not entail significant expenditure in subsequent years.
- d. Virement (i.e., the transfer of sums approved for a specified purpose to another purpose) may be authorised by the Director of Finance and Procurement in accordance with Financial Standing Orders provided:
  - I. there are no greater consequential revenue effects in later years;
  - II. the proposals are not inconsistent with approved budgetary policy and the overall budget situation;
  - III. that it does not involve the transfer of sums between budget lines where the activities in one (1) of the areas is outside the control of the Authority;
  - IV. that it does not involve the transfer of sums to the appointment of staff or other purpose which will commit the Authority to a significant additional level of expenditure in future years or which will initiate new policies or the extension of existing policies.

## 20.6 **Supplementary Capital Budgets**

To approve supplementary capital budgets subject to the limitations set out in the Financial Standing Orders.

## 20.7 **Inspectors**

Officers appointed as Inspectors under the Health and Safety at Work Act 1974, shall have the powers of an Inspector specified in the following statutory provisions or any statutory amendments or re-enactments thereof:

- a. Sections 1, 20, 21, 22, 25 and 39 of the 1974 Act.
- b. Any Health and Safety regulations.
- c. The provisions of the Acts mentioned in Schedule 1 to the 1974 Act, which are specified in the third column of that Schedule and of the Regulations,

Orders and other instruments of a legislative character made or having effect under any provision so specified.

Officers appointed as Inspectors under the Regulatory Reform (Fire Safety) Order 2005 or any statutory amendment or re-enactment thereof, shall have:

- a. The powers of an Inspector, specified in Regulation 27 of that Order.
- b. Powers to issue and serve alteration notices, enforcement notices, prohibition notices and notices relating to switches for luminous tube signs under that Order.
- c. The power to take any other action relating to the Authority's role as enforcing authority in respect of that Order.

#### **20.8 Directors/Heads of Service**

Officers appointed to posts at Director or Head of Service level for the time being of the Authority shall have all of the powers set out in paragraph 3 above subject to:

- a. Appropriate delegation by the Chief/Deputy Chief or Assistant Fire Officer.
- b. The restrictions set out in paragraph 1 above, and
- c. The matter of the exercise of delegated powers being within the role and area of responsibility of that Director/Head of Service.

Directors/Head of Service shall have the responsibility for ensuring, within their area of responsibility, compliance with and promotion of powers and duty under Health and Safety, Equality and Diversity and Environmental Legislation and for guidance from time to time in force.

#### **20.9 All Operational Firefighting Employees**

All employees of the Authority who are, for the time being appointed as Operational Firefighters from the role of Firefighter to the role of Chief Fire Officer, are authorised for the purposes of:

- a. S.44 of the Fire and Rescue Services Act 2004 (Powers in the event of an Emergency); and
- b. S.45 of the 2004 Act (Powers of Entry).
- c. Any statutory amendment or re-enactment of the above provisions.

#### **20.10 All Employees**

Shall have the responsibility to ensure their own and others health and safety under the Health and Safety at Work Act 1974 and shall ensure that they are conversant with, understand and are committed to the policies of the Authority in relation to Health and Safety, Equality and Diversity, Environmental and any other matters subject to policies and/or Service Instructions.

#### **20.11 Interpretation**

In this scheme, the powers of the Chair may, in the absence or unavailability of the Chair be exercised by a Vice Chair.

Any reference in this scheme to any enactment shall be deemed to include a reference to any statute incorporated therewith or any Statutory Instrument, Order in Council Bylaws or other Order made thereunder and any enactment repealing, amending or extending the provision thereof. Any reference to the Authority shall, where the sense allows, be deemed to include references to a Committee.

## PART 4 – PROCEDURE RULES

### Article 21 – Procedural Standing Orders

#### Section 1: Preliminary

##### Standing Order 1: Definitions

- 1.1 In these standing orders, unless the context otherwise demands, the following terms have the meaning assigned to them:
- 1.1.1 “Authority” – the Merseyside Fire and Rescue Authority.
  - 1.1.2 “Annual Meeting” – the Annual General Meeting of the Fire and Rescue Authority.
  - 1.1.3 “Chief Officer” – the Chief Fire Officer for the time being employed by the Authority.
  - 1.1.4 “Chief Finance Officer” – the officer appointed as having the responsibility for the proper administration of the Authority’s affairs pursuant to s.151 of the Local Government Act 1972.
  - 1.1.5 “Monitoring Officer” – the officer appointed as Monitoring Officer to the Authority pursuant to s. 5 of the Local Government and Housing Act 1989.
  - 1.1.6 “Independent Person” – an independent member of the Audit Committee without voting rights.
  - 1.1.7 “Employee” – an employee of the Authority or the holder of a paid office under the Authority other than the Chair and Vice-Chairs.
  - 1.1.8 “Meeting” – a meeting of the Authority, a Committee or a Sub-Committee (as the case may be).
  - 1.1.9 “Member” – in relation to the Authority, a Member appointed as a Member of the Authority and in relation to any Committee or Sub-Committee a person appointed as a Member of that Committee or Sub-Committee.
  - 1.1.10(a) “Number of Members” – in relation to the Authority, the number of persons who may act at the time in question as voting Members of the Authority, and in relation to a Committee or Sub-Committee, the number of persons who may act at the time in question as voting members of that body.
  - 1.1.10(b) “Opposition Spokesperson” – the Leader of the main Opposition group or groups.
  - 1.1.11 “Person Presiding” – the person entitled, or appointed, to preside at any Meeting.



- 1.1.12 “Political Group” – a political group as defined in the Local Government (Committees and Political Groups Regulations 1990).
  - 1.1.13 “Proper Officer” – for the purposes of all Standing Orders means the Monitoring Officer and for the purposes of Standing Order 29 includes the additional persons specified therein.
  - 1.1.14 “Standing Orders” – means Procedural Standing Orders and Contract Standing Orders unless otherwise stated.
  - 1.1.15 “Sub-Committee” – a Sub-Committee of a Committee.
  - 1.1.16 “The 1972 Act” – the Local Government Act 1972.
  - 1.1.17 “The 1985 Act” – the Local Government Act 1985.
  - 1.1.18 “The 1989 Act” – the Local Government and Housing Act 1989.
  - 1.1.19 “The 2000 Act” – the Local Government Act 2000.
  - 1.1.20 “The Localism Act” – the Localism Act 2011.
  - 1.1.21 “Without Comment” – in relation to the moving, seconding or putting of a motion, means without any person speaking except to indicate the wording of the motion, the fact that it is being moved, seconded or put, or (in the case of the Person Presiding) the effect of adopting the motion.
- 1.2 Unless the context otherwise requires, the singular includes the plural and the plural includes the singular and references to the male gender includes reference to the female gender.
- 1.3 Any reference in any Standing Order to a numbered paragraph is, unless the context otherwise requires, a reference to the paragraph of that standing order bearing that number.

## Standing Order 2: Standing Orders

- 2.1 The Authority shall approved Procedural Standing Orders and Contract Standing Orders at its Annual Meeting and these standing orders shall be incorporated into the Authority’s Constitution.
- 2.2 No arrangements shall be made whereby a Committee, Sub-Committee or officer may exercise any power of the Authority to vary, revoke or add to these Standing Orders.
- 2.3 Except where it is in accordance with a recommendation of a Committee, any motion to amend, revoke or add to these Standing Orders, when moved and seconded, shall stand adjourned without further discussion to the next ordinary meeting of the Authority, and shall stand referred to such Committee as the Authority shall direct for report to that Meeting.
- 2.4 This Standing Order 2 and Procedural Standing Order 19.1 (Minutes) are not capable of being suspended.

- 2.5 Any of Procedural Standing Orders 3 – 7, (Meetings) 8.1 (Notice of Motion), 13.4, 13.5 and 13.6 (Requisition of Meeting), 16 (Order of Business) and 18.1 and 18.2 (Referring up) may be suspended by the Authority but only if:
- 2.5.1 Notice of the intention to move a motion for such suspension has been included in the agenda for the meeting; and
  - 2.5.2 No Member of the Authority present at the meeting at which such a motion is made objects to such suspension.
- 2.6 Any of the other Standing Orders may be suspended by the Authority provided that either:
- 2.6.1 Notice of intention to move such suspension has been included in the agenda for the Meeting; or
  - 2.6.2 At least one half of the number of Members of the Authority are present.
- 2.7 A suspension under paragraphs 2.5 or 2.6 shall have the effect that the Standing Order suspended is not in force during the period of suspension. A suspension under paragraph 2.5 shall last for the period specified in the resolution to suspend the Standing Order, which shall not extend beyond the next Annual Meeting of the Authority. If no period is specified the suspension shall last only for the Meeting at which it is adopted.
- 2.8 A printed copy of these Standing Orders shall be given to each Member following the Annual Meeting of the Authority, as part of the Constitution of the Authority.
- 2.9 The ruling of the Person Presiding at any Meeting as to the construction or application of any of these Standing Orders shall not be challenged at that Meeting.
- 2.10 Any of the Authority's Contract Standing Orders may be waived or suspended by the Authority or a Committee of the Authority acting with delegated powers provided that such a waiver or suspension shall not release the Authority from its obligation to comply with all statutory and regulatory requirements relating to procurement.
- 2.11 Further to the implementation of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 the Standing Orders are varied to comply with the Regulations while they remain in force and as contained within the Amendment to Standing Orders and Procedure Rules for Remote Meetings Guidance.

## Section 2: Meetings of the Authority

### Standing Order 3: Ordinary Meetings of the Authority

- 3.1 The Annual Meeting of the Authority shall be held on such date in June to be determined by the Authority which ensures the participation of any new Members who may be appointed by constituent councils in that year and shall take place at Merseyside Fire and Rescue Authority HQ, Bridle Road, Bootle, Liverpool, L30 4YD at 1.00pm (or such other place and time as determined by the Authority or a Committee of the Authority).
- 3.2 Other ordinary meetings of the Authority for the transaction of general business shall be held at Merseyside Fire and Rescue Authority HQ, Bridle Road, Bootle, Liverpool, L30 4YD (or such other place and at such time as determined by the Authority or a Committee of the Authority).
- 3.3 Where it is appropriate to change the date, time or place of a Meeting, the Meeting shall take place on such date, place or time as determined by the Monitoring Officer in consultation with the Chair of the Authority and Opposition Spokespersons.

### Standing Order 4: Extraordinary Meetings of the Authority

- 4.1 The Chair of the Authority may at any time call an extraordinary meeting of the Authority.
- 4.2 If the office of Chair is vacant, or if the Chair is unable to act for any reason the Vice-Chair of the Authority may at any time call an extraordinary meeting of the Authority.
- 4.3 Three Members of the Authority may call an extraordinary meeting of the Authority if a request for such a meeting signed by such Members of the Authority has been presented to the Chair of the Authority and either she/he has refused to call a meeting, or without her/him so refusing, no extraordinary meeting has been called within seven (7) days of the presentation of the request.
- 4.4 Any request under paragraph 4.3 may be presented to the Chair by being left for him/her with the Proper Officer.
- 4.5 Where any person or persons decides to call an extraordinary meeting of the Authority she/he shall inform the Monitoring Officer that she/he has done so, the business to be transacted and the date and time for which the meeting is called. The Monitoring Officer shall thereupon ensure that the notice and summonses required by paragraph 4(2) of Schedule 12 to the 1972 Act are published and sent.
- 4.6 Any extraordinary meeting of the Authority which may be called shall be held at Merseyside Fire and Rescue Authority HQ, Bridle Road, Bootle, Liverpool, L30 4YD or such other place as the Monitoring Officer in consultation with the Chair of the Authority may appoint.
- 4.7 Extraordinary meeting shall be called unless it is proposed to transact at the Meeting business which, in accordance with the relevant enactments and these Standing Orders, may be transacted at that meeting.

- 4.8 Where in relation to any meeting of the Authority the next such meeting is an extraordinary meeting, the next following meeting of the Authority shall be treated as a suitable meeting for the purposes of signing of minutes.

## Standing Order 5: Person Presiding at Meetings of the Authority

- 5.1 The Person Presiding at the commencement of the Annual Meeting to consider the election of a Chair of the Authority shall be:
- 5.1.1 The Chair of the Authority for the previous municipal year of the Authority; or
  - 5.1.2 If she/he is absent or unable to act the Vice Chair of the Authority for the previous municipal year of the Authority; or
  - 5.1.3 If she/he is absent or unable to act such Member as is appointed by the Authority.
- 5.2 Thereafter the Person Presiding at meetings of the Authority shall be:
- 5.2.1 The Chair of the Authority; or
  - 5.2.2 In the absence of the Chair of the Authority, the Vice Chair of the Authority; or
  - 5.2.3 In the absence of the Vice Chair of the Authority and the Chair of the Authority, a Member of the Authority appointed by the Authority.
- 5.3 If it is necessary to choose a member of the Authority to preside in the absence of the Chair and Vice Chair, the Proper Officer shall call on a Member of the Authority to move that a Member of the Authority be named by that Member shall take the chair.
- 5.4 If discussion arises on that motion, the Proper Officer shall exercise the powers of the Person Presiding to regulate that discussion, and to maintain order at the meeting.
- 5.5 The motion, and any amendments, shall be put to the Meeting in accordance with Standing Order 22.5 (voting on appointments).

## Standing Order 6: Quorum of Meetings of the Full Authority

- 6.1 No business shall be transacted at any meeting of the Full Authority unless at least eight voting Members are present (Standing Order 15 deals with the Quorum of Committee and Sub-Committee meetings).
- 6.2 If, during any meeting of the Authority or its Committees or Sub-Committees, the Person Presiding, after causing the number of Members present to be counted, declares that there is not a quorum present, the Meeting shall stand adjourned for fifteen minutes.

- 6.3 If, after fifteen minutes the Person Presiding, after again causing the number of Members present to be counted, declares that there is still no quorum present, the Meeting shall end.
- 6.4 Notwithstanding any provision in these Standing Orders that notices of questions or motions shall lapse, the consideration of all business which is on the agenda of a meeting brought to an end under the previous paragraph; and which has not been completed before the meeting is brought to an end shall be postponed to the next meeting of the Authority, whether ordinary or extraordinary.

## Standing Order 7: Order of Business at Meetings of the Authority

- 7.1 Unless the Authority otherwise orders in accordance with Standing Order 7.3, the order of business at every meeting of the Authority shall be:
  - 7.1.1 In the absence of the Chair and Vice Chair, to choose a Member of the Authority to preside.
  - 7.1.2 At the Annual Meeting, and at any other Meeting which is the first after the office of Chair shall have become vacant, to elect a Chair.
  - 7.1.3 At the Annual Meeting, and at any other Meeting which is the first after the office of Vice Chair shall have become vacant, to appoint a Vice Chair.
  - 7.1.4 To approve as correct record, the minutes of the last meeting of the Authority, and of any earlier Meeting of which the minutes have not been so approved, and for the Person Presiding to sign them; unless the minutes of all earlier meetings of the Authority have already been signed as a correct record, or in accordance with Standing Order 19, any unsigned minutes are to stand over until the next suitable Meetings. Minutes of previous meetings which have been held during the chairmanship of the previous year, before the newly elected chair takes over presiding the meeting.
  - 7.1.5 To consider declarations of interests by Members.
  - 7.1.6 To receive communications or announcements from the Person Presiding; should this be moved up – e.g., Chair’s announcement usually prior to business on Agenda.
  - 7.1.7 Where the meeting has been requisitioned by Members under Standing Order 4.3, to consider the business specified in the Summons.
  - 7.1.8 Where a Meeting has been summoned to consider:
    - 7.1.8.1 The promotion or opposition of a bill under section 239 of the 1972 Act .
    - 7.1.8.2 A report from the Chief Financial Officer under section 114 of the Local Government Finance Act 1988 .

- 7.1.8.3 A report of the Monitoring Officer under section 5 of the 1989 Act .
- 7.1.8.4 To consider the business for which the meeting has been summoned.
- 7.1.9 To receive petitions for Members of the Authority.
- 7.1.10 The asking and answering of questions under Standing Order 10.
- 7.1.11 To consider items of business, if any, which were on the agenda of Committees in the order prescribed under paragraph 7.2.
- 7.1.12 To receive and consider reports, minutes and recommendations of Committees in the order prescribed under paragraph 7.2.
- 7.1.13 To consider motions of which notice has been submitted by Members of the Authority in accordance with Standing Order 8 in the order in which they are recorded as having been resolved.
- 7.1.14 To consider other business, if any, specified in the summons for the meeting.
- 7.2 The items of business under paragraph 7.1 shall be considered in the order in which they are listed in the agenda for the Meeting, and that order shall be in accordance with arrangements determined from time to time by the Authority.
- 7.3 The order of business in paragraph 7.1 may be varied by direction of the Person Presiding, made with the unanimous consent of the Members present, but not so as to alter the order of items set out in paragraphs 7.1.1 to 7.1.7.
- 7.4 If the Persons Presiding decides that an items of business which has not been included in the agenda for the Meeting sent with the summons, may be taken for reasons of urgency, that item shall, subject to any direction or resolution under paragraph 7.3, be taken at the end of the other items of business.
- 7.5 For the purposes of this Standing Order 7.1.2 and 7.1.3 a vacancy in the office of Chair and Vice Chair shall be deemed to have occurred where the holder of such office:
  - 7.5.1 Has ceased to be a Member of the Authority by reason of termination of appointment.
  - 7.5.2 Has ceased to be a Member of the Authority by reason of ceasing to be a member of the constituent Council at the time of notice to the Authority.
  - 7.5.3 In any other case on the date of the declaration or receipt of the notice or resignation.

## Standing Order 8: Notices of Motions to Authority

- 8.1 Any Member of the Authority may give notice of motion for consideration at any Meeting of the Authority.
- 8.2 Every motion shall be relevant to some matter in relation to which the Authority has a function.
- 8.3 Notice of every motion to be moved at a meeting of the Authority other than a motion which, (under Standing Order 9), may be moved without notice, shall be given in writing, and signed by the member or the Members giving notice. The notice shall state for which Meeting of the Authority the notice is given.
- 8.4 Unless the Person Presiding at the meeting is of the opinion that a motion should be considered as a matter of urgency, notice of every motion of which notice is required shall be delivered to the Proper Officer by hand, fax or email at least six (6) clear working days before the meeting for which the notice is given.
- 8.5 The Proper Officer shall not accept any notice of motion which, by reason of any enactment or any provision in these standing orders (other than paragraph 8.8 below), could not be considered at the meeting for which it is given.
- 8.6 The Proper Officer shall record the time and date at which every such notice is delivered to her/him. That record shall be open to the inspection of every Member of the Authority.
- 8.7 A motion shall only be moved by a Member by whom notice has been given, or by a Member authorised by such a Member.
- 8.8 Where notice of a motion has been given for any meeting, and that motion is neither moved (nor deemed to have been referred to a Committee), the notice shall lapse, and the motion shall not be moved without further notice.
- 8.9 Subject to Standing Order 8.10 below, where a notice of motion has been given for any meeting of the Authority, and that motion is within the terms of reference of any Committee of the Authority, the motion shall be deemed to have been transferred by that meeting to the next meeting for the Committee or Committees within whose terms of reference it falls. If any question arises as to the Committee to which the motion is to be referred, it shall be determined by the Chair of the Authority.
- 8.10 Where a motion has been referred, or is deemed to have been referred, to a meeting of a Committee, that committee shall consider it as its next meeting and shall either report upon the motion to the next meeting of the Authority, or include its views upon the motion in its next report to the Authority.
- 8.11 No motion or amendment shall be moved to rescind any resolution of the Authority which was passed within the same Authority Municipal Year or which is to the same effect as one (1) which has been rejected within that period.

## Standing Order 9: Motions and Amendments

- 9.1 The following motions may be moved without notice any Meeting, and considered in sequential order:
  - 9.1.1 To elect a Chair of the Authority, to appoint a Vice-Chair of the Authority, or to appoint a person to preside at the meeting at which the motion is made.
  - 9.1.2 Motions relating to the accuracy of the minutes.
  - 9.1.3 Motions under Standing Order 7.3 (change in order of business).
  - 9.1.4 “that the Authority (or Committee or Sub-Committee) proceed to the next business”.
  - 9.1.5 “that the question be now put”.
  - 9.1.6 “that the debate be now adjourned”.
  - 9.1.7 “that the Authority (or Committee or Sub-Committee) do now adjourn”.
  - 9.1.8 Motions under Standing Order 2.5.2 (suspension of Standing Orders without notice).
  - 9.1.9 Motions in accordance with section 100A (2) or (4) of the 1972 Act to exclude the public from a meeting where there is likely otherwise to be disclosure of exempt or confidential information.
  - 9.1.10 Motions giving consent of the Authority, committee or subcommittee, where it is required under these Standing Orders.
  - 9.1.11 Motions to refer a petition which has been presented to the Authority to a Committee for consideration.
  - 9.1.12 Where a matter has been submitted to a Committee, or Sub-Committee, to consider that matter.
- 9.2 On consideration of a report or a recommendation from a Committee, Sub-Committee, or Officer, the adoption of the report or recommendation and any resolutions consequential upon that adoption may be moved without notice.
- 9.3 Subject to PSO 9.3.1 and PSO 9.3.2, an amendment to a motion may be moved without notice, but shall be relevant to the motion.
  - 9.3.1 Notice of a motion consisting of a proposal for the setting of a budget and the associated calculations shall be provided in full to the Chief Finance Officer, the Monitoring Officer and all Members at least ten (10) working days prior to the date of the Authority meeting scheduled to consider the setting of a budget for the forthcoming financial year.



- 9.3.2 Notice of any amendment proposed to a motion specified in PSO 9.3.1 (a budget resolution) shall be provided in full to the Chief Finance Officer, the Monitoring Officer and all Members at least five (5) working days prior to the date of the Authority meeting scheduled to consider the setting of a budget for the forthcoming financial year.
- 9.3.3 An amendment to a budget resolution will not be considered by the Authority where the notice requirements set out in PSO 9.3.2 (above) have not been met.
- 9.3.4 For the purposes of PSO 9.3, notice is given on the date that it is received by the Chief Finance Officer and Monitoring Officer.
- 9.4 An amendment to a motion shall be either to refer the matter to a Committee, a Sub-Committee or an Officer for consideration (or reconsideration), to leave out words, or to insert or to add other words, but such omission, insertion or addition of words shall not have the effect of simply negating the motion before the Meeting.
- 9.5 With the consent of the Meeting signified without discussion, a Member may:
  - 9.5.1 Alter a motion of which she/he has given notice; or
  - 9.5.2 With the further consent of the seconder, alter a motion which has been moved or seconded.  
  
If (in either case) the alteration is one (1) which could be made as an amendment thereto.
- 9.6 With the consent of the seconder (if she/he is still present) and of the Meeting signified without discussion, the mover of a motion or an amendment may withdraw it. No Member shall speak to such a motion or amendment after the mover has asked consent for its withdrawal, unless such consent has been refused.
- 9.7 Where consent of the Authority, Committee, or Sub-Committee is required for anything, it may be given either:
  - 9.7.1 By the Person Presiding at the Meeting asking whether there are objections to the consent being given, and if no objection is raised, giving that consent; or
  - 9.7.2 If objection is raised, or if the Person Presiding so chooses, by a motion moved, seconded and put to the meeting.

## Standing Order 10: Questions

- 10.1 Every question shall be relevant to some matter in relation to which the Authority has functions.
- 10.2 Subject to Standing Order 10.1 if a Member of the Authority wishes to ask a question during a meeting of the Authority of:

10.2.1 The Chair of the Authority; or

10.2.2 The person appointed or chosen to preside In any committee.

She/he shall give notice in writing to the Proper Officer of the question at least seven (7) working days before the meeting at which the question is to be asked.

10.3 A list of the questions of which notice has been given shall be circulated to Members of the Authority at, or before, the meeting at which they are to be asked.

10.4 If the Person Presiding at a meeting of the Authority considers that, by reason of special circumstances, it is desirable that a question shall be asked at a meeting of the Authority although due notice of the questions has not been given, and if she/he is satisfied that as much notice as is possible has been given to the person of whom it is to be asked, she/he may permit the question to be asked.

10.5 Every question shall be put and answered without discussion, but the person to whom the question has been put may decline to answer it. If the Person Presiding permits, the Member asking a question may ask one (1) relevant supplementary question which shall be put and answered without discussion.

10.6 An answer to a question may be given by the person to whom it is addressed or by a person on her/his behalf, and may take the form of:

10.6.1 An oral answer.

10.6.2 Reference to information contained in some publication.

10.6.3 Written answer, which shall be circulated to Members of the Authority at the latest with the Summons for the next meeting of the Authority.

10.7 No question shall be asked more than ten (10) minutes after the Authority has entered on the item of business under which questions are asked.

10.8 If notice of a question has been given, and that question is not for any reason asked orally, and unless the Member who has notice of it withdraws the question or the Member to whom it is addressed refuses to answer, the question shall be given a written answer in the same way as under paragraph 10.6.3.

## Standing Order 11: Presentation of Petitions, Hearing of Deputations and Occasions When Public May Speak

11.1 At a meeting of the Authority any Member of the Authority or local government elector for the area of the Authority may present a petition which is relevant to some matter in relation to which the Authority has functions (and subject to 11.2).

11.2 The following matters are specifically excluded from consideration by the Authority through the submission of a petition:

11.2.1 Conditions of service of employees;

- 11.2.2 Any matter relating to enforcement action undertaken by Merseyside Fire and Rescue Service.
  - 11.2.3 Any matter which is vexatious, discriminatory, inappropriate or not reasonable.
  - 11.2.4 Any matter which relates to an individual and/or entity where that individual or entity has a right of review or right of appeal under any policy or enactment.
  - 11.2.5 Any matter which is exempt under the Local Government Act 1972, the Access to Information Act 1985, the Data Protection Act 2018, the Freedom of Information Act 2000 or the Environment Information Regulations 2004 (and amendments thereto). This includes but is not limited to information relating to an individual, information that is commercially sensitive, or that concerns information regarding which there are implications for the prevention or prosecution of a crime.
  - 11.2.6 Any matter which is substantially the same as a petition submitted in the previous 12 months.
- 11.3 At least seven working days before the meeting at which the petition is to be presented, the person wishing to present it shall give notice of her/his intention to do so to the Proper Officer, and shall show the petition to her/him. Where the person proposing to present the petition is not a Member of the Authority the notice of intention to present a petition shall not be accepted unless the Proper Officer has satisfied herself/himself that the petition is proper to be presented. If the petition is deemed not proper to be presented, outside the remit of a relevant matter of the Authority's functions or a specifically excluded matter the person wishing to present the petition will be informed and as to the reasons why.
- 11.4 A proper petition shall contain a minimum of twenty-five (25) signatories from different households including the names, postal addresses and signatures of any such persons supporting the petition who are local government electors for the area of the Authority.
- 11.5 Signatures for the petition should have been collected no more than six (6) months before the submission of the petition to ensure that the issues raised are considered within an appropriate time frame.
- 11.6 The presentation of a petition shall be limited to not more than five (5) minutes and shall be confined to reading out or summarising the subject of the petition indicating the number and description of the signatories, and making such further supporting remarks relevant to the petition as the person presenting it shall think fit.

- 11.7 Any person likely to be affected by a matter in relation to which the Authority has functions, (other than employees in relation to matters of conditions of service) may ask that a deputation should be received by a meeting of the Authority. Such a request shall be made to the Proper Officer at least seven working days before the meeting to which it relates. The person making the request shall indicate the matter to which the request relates, the number (which shall be more than two and less than five names and addresses of the persons who will form the deputation, and the member or members of the deputation who will speak for them).
- 11.8 On being called by the Person Presiding, the person or persons speaking for the deputation may make, during a period not exceeding five (5) minutes, such remarks as she/he or they think fit, providing that the remarks shall relate to the matter indicated.
- 11.9 The Members of the Authority may, during a further period not exceeding five (5) minutes for each deputation, ask questions of the members of the deputation. Such questions shall be asked and answered without discussion.
- 11.10 Petitions shall be presented, and deputations received in the order in which notice of them is received by the Proper Officer, without making any distinction between petitions and deputations.
- 11.11 Subject to the provisions of Standing Order 11.1 to 11.7, no members of the public shall be entitled to speak or address a meeting without the permission of the Person Presiding.

## Section 3: Committees and Sub-Committees

### Standing Order 12: Appointment of Committees and Sub-Committees

- 12.1 Subject to the provisions of the 1972 Act, and other relevant enactments, at its annual meeting, the Authority:
  - 12.1.1 Shall resolve which Committees shall be appointed, the terms of reference of each of those Committees, the number of voting Members appointed to each Committee; and whether the Committees are to have delegated powers.
  - 12.1.2 May resolve that non-voting Members, assessors and advisers shall also be appointed to any such Committee, so far as the law permits.
  - 12.1.3 If it resolves to make appointments under Standing Order 12.1.2, shall specify the numbers of appointments to be made and what functions in relation to the Committee each person so appointed may discharge.
  - 12.1.4 May determine an annual timetable for ordinary meetings of Committees.
- 12.2 The Authority may at any time amend resolutions under the previous paragraph.
- 12.3 Every Committee set up under this Standing Order, and every Sub-Committee set up by such a Committee, shall continue to discharge the functions committee to them until the Authority or Committee, (as the case be), resolve otherwise.
- 12.4 The Authority may at any time appoint alternate Members from within its full Membership as persons entitled to attend Committees with full voting rights in the absence of the original Member for whom they are named as alternates, subject to the following:
  - 12.4.1 An alternate for an original Member who is Chair of a Committee or a Sub-Committee shall not automatically be entitled to act in that capacity but may do so in accordance with provisions of Procedural Standing Order 14.
  - 12.4.2 The agenda for any Meeting shall only be supplied to an alternate Member at the time of initial circulation if prior notice of proposed absence has been received by the Proper Officer from the original Member.
  - 12.4.3 Attendance as an alternate at a Meeting shall be classed as an approved duty.
  - 12.4.4 If as a consequence of the application of this Standing Order a Member is appointed as an alternate Member for more than one original Member on the same Committee or Sub-Committee, she/he shall not be entitled to choose for which absent original Member to act but shall in every case act as alternate for the Member whose surname has alphabetical priority.

- 12.4.5 Decisions relating to the nomination of alternate Members or variations thereto may be taken by the Authority at any meeting.
- 12.5 Every person appointed as a voting Member of such a Committee or Sub-Committee and every person appointed to exercise other functions in relation to a Committee shall continue as such until the appointment is terminated upon:
- 12.5.1 Receipt of written notification of their resignation from the Authority.
- 12.5.2 Notification from their nominating Council that she/he is to be replaced or has been disqualified or has retired as a district Councillor.
- 12.5.3 Failure to be successfully re-elected as a Councillor.
- 12.5.4 Termination pursuant to Standing Order 12.16.
- 12.5.5 Termination pursuant to S.52 (1) of the Local Government Act 2000 (failure to provide undertaking or comply with any other legislative provision).
- 12.6 Whenever:
- 12.6.1 The Authority is required to review the allocation of seats on Committees between Political Groups; or
- 12.6.2 The Authority resolves to carry out such a review; or
- 12.6.3 A Committee is required to review the allocation of seats on a Sub-Committee between Political Groups; or
- 12.6.4 A Committee resolves to carry out such a review;
- the Proper Officer shall submit a report to the Authority or Committee (as the case may be), showing what allocation of seats would, in her/his opinion, best meet the requirements for proportionality.
- 12.7 In light of such a report, the Authority or Committee, (as the case may be), shall determine the allocation of seats to Political Groups.
- 12.8 A Political Group shall be treated as constituted when the Proper Officer has received a notice in writing signed by two or more Members or the Authority stating:-
- 12.8.1 That the Members who have signed it wish to be treated as a Political Group.
- 12.8.2 The name of the Group; and
- 12.8.3 The name of one (1) Member of the Group who has signed the notice and who is to act as its Leader.
- 12.9 The notice referred to in Standing Order 12.8 may specify the name of one (1) other Member of the Group who has signed the notice and who is authorised to act in the place of the Leader.

- 12.10 The Leader may be changed by a further notice in writing to the Proper Officer signed by a majority (i.e. more than 50% of the Members of the Group).
- 12.11 The name of the Group may be changed by a further notice in writing to the Proper Officer signed by the Leader of the Group or a majority (i.e. more than 50%) of the Members of the Group.
- 12.12 A Member of the Authority is to be treated as a Member of a Political Group if she/he has signed a notice in accordance with paragraph 12.8 or if she/he has delivered to the Proper Officer a written notice signed by her/him and by the Leader (or representative) of the Group of a majority (i.e., more than 50%) of Members of the Group stating that she/he wishes to join the Groups.
- 12.13 A person is to be treated as having ceased to be a Member of a Political Group when:
- 12.13.1 She/he had ceased to be a Member of the Authority
  - 12.13.2 She/he has notified the Proper Officer in writing that she/he no longer wishes to be treated as a Member of the Group.
  - 12.13.3 She/he joins another Political Group.
  - 12.13.4 The Proper Officer received a notice in writing signed by a majority of Members of the Group stating that they no longer wish her/him to be treated as a Member of it.
- 12.14 No person shall be treated as a Member of more than one (1) Political Group at any given time.
- 12.15 The Proper Officer shall keep and maintain a record of the current membership of each Group.
- 12.16 Whenever an appointment of a voting Member of a Committee or Sub-Committee fails to be made in accordance with the wishes of a Political Group to whom the seat has been allocated, and whenever such an appointment fails to be terminated in accordance with such wishes, then the Authority or the Committee, (as the case may be), at a meeting after those wishes are expressed, shall make or terminate the appointment accordingly.
- 12.17 In order to facilitate appointment of voting Members of Committees, Group Leaders shall submit nominations for membership of committees (in accordance with the allocation of seats) to the Proper Office:-
- 12.17.1 At the Annual Meeting; and
  - 12.17.2 Following variations to membership nominations during the remainder of the Municipal Year and in any event at least one (1) week prior to the next meeting of the Committee concerned.
- 12.18 Subject to any resolutions by the Authority under this Standing Order:
- 12.18.1 Every Committee may appoint Sub-Committees for such purposes as it thinks fit, and may make arrangements for a Sub-Committee to

discharge any of the functions of the Authority which the Committee may discharge.

- 12.18.2 Where a matter has been delegated to a Committee, the Committee may further delegate the matter to a Sub-Committee unless the Authority otherwise directs.

## Standing Order 13: Meetings of Committees and Sub-Committees

- 13.1 The Authority may fix the date, time and place of ordinary meetings of Committees and Sub-Committees.
- 13.2 If the Authority does not fix the date, or time, or place of an ordinary meeting of a Sub-Committee, then the Committee which appointed it to may do so.
- 13.3 If the date, time, or place of an ordinary meeting of a Committee or Sub-Committee, has not been fixed by the Authority or the appointing Committee (as the case may be), then that Committee or Sub-Committee shall fix those details of the meeting which have not otherwise been fixed provided that:
- 13.3.1 For the first ordinary meeting of any Committee or Sub-Committee, the Chair of the Authority or, if a person has been appointed to preside in a Committee, that person may fix any details which have not otherwise been fixed.
- 13.3.2 For any other meeting of a Committee or Sub-Committee, the Chair of the Authority or the Person Presiding in that Committee or Sub-Committee, after consultation (so far as practicable) with such persons as appear to her/him to be representative of the political groups to which have been allocated seats on the Committee or Sub-Committee, may cancel or change any of the details of place, date or time already fixed for a meeting of the Committee or Sub-Committee, other than one (1) called under Standing Order 13.5.
- 13.4 The Person Presiding at meetings of a Committee or Sub-Committee, her/his deputy, or the Chair of the Authority may call a special meeting of the Committee or Sub-Committee at any time.
- If:
- 13.4.1 A request for a special meeting of a Committee or Sub-Committee, signed by at least two of the voting Members of a Committee or Sub-Committee, has been presented to the person appointed to preside at their meetings; and
- 13.4.2 Either she/he has refused to call a meeting, or without her/him so refusing, no special meeting has been called within seven days of the presentation of the requisition.
- Then any two members of the Committee or Sub-Committee, whichever is the greater, may forthwith request a special meeting of the Committee or Sub-Committee.



- 13.5 If any person decides to request a special meeting of a Committee or Sub-Committee, she/he shall forthwith give notice that she/he has done so to the Proper Officer, specifying the business proposed to be transacted. The Proper Officer shall forthwith give notice to all Members of the Committee or Sub-Committee and all persons entitled to receive their papers.
- 13.6 Any requisition under paragraph 13.5 may be presented by leaving it with the Proper Officer.

## Standing Order 14: Persons Presiding in Committees and Sub-Committees

- 14.1 The Authority may appoint, from among the voting Members, a person to preside at the meeting of a Committee or Sub-Committee appointed by it, and or a person to preside in the absence of the first person.
- 14.2 If any appointment possible under the previous paragraph is not made, a Committee may appoint, from among the voting members, a person to preside at the meetings of any Sub-Committee appointed by it, or a person to preside in the absence of the first person, (as the case may be).
- 14.3 If any appointment possible under the previous paragraph is not made, a Committee or Sub-Committee at its first meeting after the Annual Meeting of the Authority shall, from among their voting Members, appoint a person to preside at their Meetings, and may, in the same way, appoint a person to preside in the absence of the first person.
- 14.4 The Person Presiding at meetings of Committees and Sub-Committees of the Authority shall be:
  - 14.4.1 The person appointed as Chair of that Committee.
  - 14.4.2 If she/he is absent or unable to act as Chair a Member of the Committee or Sub-Committee (as the case may be) chosen by the voting Members of that Committee or Sub-Committee.
- 14.5 If it is necessary for the Committee or Sub-Committee to appoint a person to preside, the Proper Officer shall call on a Member of the Committee or Sub-Committee to move that a voting member of the Committee or Sub-Committee shall take the chair.
- 14.6 If discussion arises, the Proper Officer shall exercise the powers of the Person Presiding to regulate the discussion, and to maintain order at the meeting.
- 14.7 The motion, and any amendments, shall be put to the meeting in accordance with Standing Order 22.5 (voting on appointment).

## Standing Order 15: Quorum of Committees and Sub-Committees

- 15.1 No business shall be transacted by either the Policy and Resources Committee or the Community, Safety and Protection Committee unless at least 5 voting Members are present.
- 15.2 No business shall be transacted at any meeting of any sub-committee or the Appeals Committee or the Appointments Committees unless at least 2 voting Members are present.
- 15.3 The provision of Standing Order 6.2 to 6.4 shall apply to a meeting of a committee or sub-committee at which a quorum is not present as they would apply if it were a meeting of the Authority.

## Standing Order 16: Order of Business on Committees and Sub-Committees

- 16.1 Subject to any directions given by the person appointed to preside at the meeting or the committee or sub-committee, the items of business shall be arranged in such order as the Proper Officer thinks will best ensure the effective despatch of business.

## Standing Order 17: Urgent Business

- 17.1 The Authority may make arrangements for the discharge, in urgent circumstances, of functions of the Authority, by appointing a committee of not fewer than three (3) voting Members of the Authority; or
- 17.2 In certain circumstances where this is not possible with the timescales required, the Chief Fire Officer of the Authority, in consultation with the Chair of the Authority, and such other Members as the Chair may consider necessary, may discharge these functions.
- 17.3 Any matter approved in the circumstances described in 17.1 – 17.2 shall be reported to the next full Authority meeting giving reasons for the urgency and this shall be recorded in the minutes.
- 17.4 No matter shall be considered at a meeting of the Authority or a committee or sub-committee of the Authority, if it is not specified in the agenda, unless the Chair (or in the case of a committee or sub-committee, the Person Presiding) rule that in his/her opinion the item should be considered as a matter of urgency **and specifies the reasons why it is urgent**. The ruling including the reasons for urgency, must be recorded in the minutes of the meeting.

## Standing Order 18: Reference-up of Decisions

- 18.1 This standing order applies where arrangements have been made for the discharge of a function of the Authority by a committee or sub-committee, and the operation of such arrangements is referred to in it as “the use of delegated powers”.

- 18.2 Subject to Standing Order 18.3 where a question on the use of delegated powers is put to the vote at a meeting of a committee or sub-committee and a majority of the voting Members present at the meeting, immediately after the question has been put to the vote, ask that the provision of this Standing Order should be applied, the decision which is the subject of delegated powers shall be of no effect, but shall be treated as a recommendation to the Authority (or the Committee which appointed the Sub-Committee, (as the case may be).
- 18.3 Paragraph 18.2 shall not apply to any question which arises on an item of business:
- 18.3.1 Where the Committee (Sub-Committee) has, under an obligation arising from the nature of the business to be transacted, heard representations from persons other than Members of the Authority and those appointed by the Authority to discharge a function in connection with the Committee (Sub-Committee) or
- 18.3.2 Which concerns the appointment, discipline or dismissal of a member of staff of the Authority.

## Section 4: Conduct of All Meetings

(and see Standing Orders 8 and 9)

### Standing Order 19: Minutes and Records of Proceedings

- 19.1 Minutes of every meeting shall be submitted to, and signed at, that meeting or at the next following meeting of the body concerned.

Provided that, in the case of the minutes of the meeting of the Authority, if the next following meeting of the Authority has been summoned to consider one (1) of the matters mentioned in Standing Order 7.1.7 (business to be transacted at specifically summoned meetings of the Authority), the minutes shall be signed instead, at the next suitable meeting of the Authority which shall be the ordinary meeting which next follows the meeting at which such business is to be transacted.

- 19.2 The Person Presiding shall put the question that the minutes submitted to the meeting be approved as a correct record of that meeting, or of a specified former meeting, (as the case may be).
- 19.3 No discussion shall take place upon the minutes, except upon their accuracy. Any question of their accuracy shall be raised by motion. If no such question is raised or, if it is raised, then as soon as it is disposed of, the Person Presiding shall sign the minutes.
- 19.4 Recordings (tape and video as well as written recording) of Meetings of the Authority, its Committees and Sub-Committees may take place by any citizen subject to:
- a. The provisions of Standing Order 21 (Prevention of Disorderly Conduct).
  - b. Compliance with the provisions of Schedule 12A of the Local Government Act 1972 (discussion of confidential items).
  - c. Adherence to the Protocol on Reporting at Meetings (page 233).

### Standing Order 20: Rules of Debate

- 20.1 The rules of debate in this Standing Order shall apply to all Meetings.

#### **Motions and Amendments**

- 20.2 A motion or amendment shall not be discussed unless it has been proposed and seconded.
- 20.3 When proposing or seconding a motion or amendment, a member may reserve her/his speech until a later period of the debate by declaring her/his intention to do so.
- 20.4 When any motion of which notice has not been given, or any amendment has been moved and seconded, the Person Presiding may require that it shall be put into writing and handed to her/him before it is further discussed.

- 20.5 Only one (1) amendment may be moved and discussed at a time. No further amendment shall be moved until the amendment under discussion has been disposed of provided that the Person Presiding may permit two or more amendments to be discussed (but not voted upon) together if she/he thinks this will facilitate the proper conduct of business.
- 20.6 If an amendment is not carried, other amendments may be moved to the original motion. If an amendment is carried, the motion as amended, shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

### **Speeches**

- 20.7 If two or more Members offer to speak, the Person Presiding shall call on one (1) to speak.
- 20.8 When speaking, a Member shall address the Person Presiding.
- 20.9 A Member shall direct her/his speech to the question under discussion, or to a personal explanation or a point of order under the provisions of the next paragraph.
- 20.10 A Member may claim to speak on a point of order or in personal explanation, and shall be entitled to be heard forthwith. A point of order shall relate to an alleged breach of a specified statutory provision or a specified Standing Order, and the way in which the Member raising it considers that it has been broken. A member raising a point of order must specify which statutory provision or Standing Order she/he alleges has been breached. A personal explanation shall be confined to some material part of a former speech by her/him in the current debate which may appear to have been misunderstood.
- 20.11 The ruling of the Person Presiding on a point of order or on the admissibility of a personal explanation shall not be open to discussion except on a motion of which due notice has been given.

### **Ancillary Motions**

- 20.12 When a motion is under debate, no other motion shall be moved except the following:
- 20.12.1 To amend the motion.
  - 20.12.2 A closure motion under Standing Order 20.13.
  - 20.12.3 A motion under Standing Order 21 (prevention of disorder).
  - 20.12.4 A motion under Section 100A(2) or (4) of the 1972 Act (exclusion of the public).
- 20.13 The following closure motions shall be permitted during discussion of another motion ('the original motion'). They shall be moved, seconded and put without discussion. If the motion is moved and seconded, then the Person Presiding shall proceed as follows:

- 20.13.1 “that the meeting proceed to the next business” the Person Presiding shall permit the mover of the original motion to reply, and shall then put to the vote the motion to proceed to the next business; if that motion is carried, the original motion shall lapse;
- 20.13.2 “that the question be now put” if the Person Presiding is of the opinion that the matter before the Meeting has been sufficiently discussed, she/he shall put to the vote forthwith the motion, that the question now be put; if this is carried, she/he shall permit the mover of the original motion a right to reply for not more than three minutes and shall then put that motion to the vote;
- 20.13.3 “that the debate now be adjourned”; or “that the meeting does now adjourn”. If the Person Presiding is of the opinion that the matter before the Meeting has been sufficiently discussed, she/he may refuse to accept either of these motions, and instead put the motion that the question be now put; if she/he is of the opinion that the matter has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion, she/he shall put the adjournment motion to the vote without giving the mover of the original motion a right of reply or stand over as uncompleted business until the next meeting of the Authority, Committee or Sub-Committee, (as the case may be).

## Standing Order 21: Prevention of Disorderly Conduct

- 21.1 If the Person Presiding is of the opinion that a Member has misconducted, or is misconducting, herself/himself by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively, or wilfully obstructing the business of the Authority, she/he may notify the Meeting of that opinion, and may take any of the following courses, either separately or in sequence;
  - 21.1.1 She/he may direct the Member to refrain from speaking during all, or part, of the remainder of the Meeting.
  - 21.1.2 She/he may direct the Member to withdraw from all, or part, of the remainder of the Meeting.
  - 21.1.3 She/he may order the Member to be removed from the Meeting.
  - 21.1.4 She/he may adjourn the Meeting for 15 minutes or such period as shall seem expedient to her/him.
- 21.2 If a Member of the public interrupts proceedings at any Meeting, the Person Presiding shall warn her/him. If she/he continues the interruption, the Person Presiding shall order her/him to leave the room where the meeting is being held. If she/he does not leave, the Person Presiding shall order her/him to be removed. If a member of the public persistently creates a disturbance, the Person Presiding may adjourn the meeting for 15 minutes or such period as shall seem expedient to her/him.
- 21.3 In the event of general disturbance in any part of the room where any Meeting is being held which is open to the public, the Person Presiding shall order that part

to be cleared and may adjourn the Meeting for 15 minutes or such period as shall seem expedient to her/him.

- 21.4 The powers conferred by this Standing Order are in addition to any other powers which the Person Presiding may lawfully exercise (e.g. for the Person Presiding to take preventative action before the Meeting commences or to order the removal of a Member persistently disregarding the Authority or the Chair).

## Standing Order 22: Voting

- 22.1 Except where a requisition is made under the next paragraph, the method of voting at Meetings shall be by show of hands.
- 22.2 If a requisition is made by a specified number of Members, before a vote is taken on any question, the voting on that question shall be recorded so as to show whether each voting Member present gave her/his vote for or against that question or abstained from voting.
- 22.3 The specified number of Members is:
- 22.3.1 Four of the Members entitled to vote at a meeting; or
  - 22.3.2 Where the Authority is divided into Political Groups, in the case of a meeting of the Authority, the number of members of the second largest Political Group; or
  - 22.3.3 In the case of a meeting of a Committee or Sub-Committee, the number of seats on that body allocated to the second largest Political Group among the Members of the Authority; whichever is the less.
  - 22.3.4 Should the number of political members of the second largest group not exceed one (1) member, then the number shall be 2.
- 22.4 Where immediately after a vote is taken at a Meeting any Member of that body so requires, there shall be recorded in the Minutes of the proceedings of that Meeting whether that person cast her/his vote for the question or against the question or whether she/he abstained from voting.
- 22.5 Where a vote is required on a motion to appoint or elect a Member of the Authority to a position to be filled by the Authority and there are two or more Members nominated for that position, the names of all those nominated shall be put to the Meeting in alphabetical order of surname. Those entitled to vote shall each vote for only one person. If there is not a majority of those voting in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.
- 22.6 In the event of an equality of votes the Person Presiding at the meeting shall be entitled to exercise a second casting vote.

## Standing Order 23: Attendance at Committees etc.

- 23.1 The names of every Member attending a Meeting shall be recorded by the Proper Officer.
- 23.2 No Member of an Appeals Committee shall be present at any meeting of that Committee when consideration is given to an appeal against a decision of another Committee or Sub-Committee in which such Member took part.
- 23.3 No Member of the Authority shall attend a Committee or Sub-Committee Meeting held to consider disciplinary, investigatory or grievance cases, appeals or grading appeals unless she/he is appointed by the Authority as a voting member of that Meeting.
- 23.4 Subject to Standing Order 23.2 and 23.3 the Chair and Vice-Chairs of the Authority may attend and speak and move and second motions (but may not vote) at a Meeting of which they are not voting Members.
- 23.5 Subject to Standing Order 23.2 and 23.3 the person appointed to preside at the meeting of a Committee, and her/his deputy, may attend and speak and move or second motions at a meeting of any Sub-Committee appointed by that Committee, but may not vote unless appointed as a voting Member.
- 23.6 Subject to paragraph 23.2 and 23.3 above a Member of the Authority who is not otherwise entitled to attend and speak at a Committee or Sub-Committee shall be entitled to do so (but not to vote) at a meeting of the Committee or Sub-Committee:
  - 23.6.1 During the consideration of any motion of which notice has been given which she/he has moved or seconded at a meeting of the Authority and which has been referred to that Committee or Sub-Committee; or
  - 23.6.2 With the agreement of the Person Presiding at the meeting of the Committee or Sub-Committee; or
  - 23.6.3 During the consideration of any matter which affects his/her constituent Council differently from other Councils represented within the Authority.

## Standing Order 24: No Smoking

- 24.1 Smoking shall not be permitted at any meeting of the Authority, its Committees or Sub-Committees.



## Section 5: Summons and Agenda for Meetings

### Standing Order 25: Summons and Agenda for Meetings

- 25.1 At least five (5) clear days before every Meeting, the Proper Officer shall send to every voting Member and to every other person entitled to receive the papers of the Authority; Committee or Sub-Committee a copy of the agenda for the Meeting.
- 25.2 The Summons shall:
- 25.2.1 Specify the date, time and place of the Meeting.
  - 25.2.2 Specify the business to be transacted at the Meeting.
  - 25.2.3 Be signed by the Proper Officer; and
  - 25.2.4 Be left at or sent by post to the usual place of residence of the Member or to such other address as the Member may specify provided that want of service of a summons on any Member of the Authority, Committee or Sub-Committee shall not affect the validity of the meeting.
- 25.3 The agenda shall include:
- 25.3.1 In the case of Committees and Sub-Committees all items of business which have been (or are deemed to have been) referred to the Committee by the Authority or by another Committee or Sub-Committee (as the case may be).
  - 25.3.2 All reports submitted to the meeting by the Chief Officer (or such officers as have delegated authority by the Chief Officer).
  - 25.3.3 Any item of business directed to be included by the person appointed to preside at the Meeting in question.
  - 25.3.4 Any other item of business of which at least 5 clear days written notice before the date fixed for the Meeting has been given to the Proper Officer by a member of the Authority or, in the case of a meeting of a Committee or Sub-Committee, by a Member of that Committee or Sub-Committee (whether voting or not).
- 25.4 The prints of reports or other documents for the consideration of a Meeting shall be marked "Not for Publication" only if the Proper Officer (having regard to the provision of the Local Government Act 1972 (as amended) agrees with the Chief Officer (or their authorised deputy) that this shall be done. Such reports or documents shall be furnished prior to the Meeting only to members of that meeting.

## Section 6: Declaration of Interests

### Standing Order 26: Interests of Members in Contracts and Other Matters

- 26.1 A Member with a personal interest in a matter as defined in the Members Code of Conduct who attends a meeting of the Authority, its Committees or Sub-Committees at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of the meeting or of that consideration, or when the interest becomes apparent.
- 26.2 A Member with a prejudicial interest in any matter:
- 26.2.1 Should withdraw from the room where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting, unless she/he has obtained a dispensation from the Proper Officer; and
- 26.2.2 Shall not seek improperly to influence a decision about the matter.
- 26.3 Where:
- 26.3.1 The Authority is considering any question as to the financial calculations set out in paragraph 26.4; and
- 26.3.2 A Member has two (2) or more month's arrears of Council Tax and/or Community Charge, she/he shall declare that the provisions of S.106 of the Local Government Finance Act 1992 apply to her/him and shall not vote on such question.
- 26.4 The financial calculations referred to in paragraph 26.3 are:
- 26.4.1 The calculation of the Budget requirement of the Authority.
- 26.4.2 The calculation of the basic amount of tax.
- 26.4.3 The calculation of tax for different valuation bands.
- 26.4.4 The calculation of the amount payable by each constituent Council.
- 26.4.5 Substitute calculations; and
- 26.4.6 Any other calculations required by Chapter III, IV or V of Part 1 of the Local Government Finance Act 1992.

## Standing Order 27: Interests of Officers in Contracts and Other Matters

- 27.1 In addition to her/his duty under section 117 of the 1972 Act if it comes to the knowledge of any officer of the Authority that she/he has a disclosable interest in any contract which has been, or is proposed to be, entered into by the Authority, or in some other matter which is mentioned in the officer Code of Conduct and any associated guidance which (in either case) is not:
- 27.1.1 The contract of employment (if any) under which she/he serves the Authority: or
- 27.1.2 The tenancy of a dwelling provided by the Authority.
- She/he shall as soon as practicable give notice in writing to the Proper Officer of such interest.
- 27.2 The Proper Officer shall record in a register to be kept for the purpose particulars of any notice of a pecuniary interest given by an officer of the Authority under Section 117 of the 1972 Act or paragraph 27.1. The register shall, during the ordinary office hours of the Authority, be open for inspection by any Member of the Authority.
- 27.3 Where an officer submits a report to a Meeting on a matter in which she/he has declared an interest under Section 117 of the 1972 Act or Standing Order 27.1, she/he shall state that such declaration has been made, and give brief details of it, in a separate paragraph within the report.
- 27.4 Where any officer orally advises a Meeting on a contract, grant, proposed contract or other matter and has declared an interest in that matter, whether under the requirements of section 117 of the 1972 Act, or of paragraph 27.1, she/he shall remind the Meeting orally of that interest.

## Section 7: Miscellaneous

### Standing Order 28: Seal of the Authority

- 28.1 The common seal of the Authority shall be kept in a safe place in the custody of the Proper Officer.
- 28.2 The common seal of the Authority shall be affixed to a document only on the authority of:
- 28.2.1 A resolution of the Authority; or Committee or Sub-Committee acting with delegated powers.
- 28.2.2 A decision by the Authority or duly authorised Committee, Sub-Committee or Monitoring Officer to do anything where a document under the common seal is appropriate to complete the transaction.

## Standing Order 29: Attestation of Documents

- 29.1 In addition to any other person who may be authorised by resolution of the Authority for the purpose, the Proper Officer for the purpose of section 234 of the 1972 Act (authentication of documents) shall be the Monitoring Officer, Senior Solicitor or the Chief Officer of the Authority concerned with the matter to which the document relates or any officer authorised in writing by the Chief Officer.

## Standing Order 30: Papers and Advice

- 30.1 A copy of every paper which is circulated to Members for consideration at a Meeting shall be sent prior to submission as part of the agenda for such Meeting to the Chief Fire Officer, the Deputy Chief Fire Officer, the Monitoring Officer and the Director of Finance and Procurement .
- 30.2 Before it concludes its consideration of any question, every Meeting shall, at her/his request, afford an Officer who is entitled to receive papers under this Standing Order (or another officer nominated by her/him) an opportunity to advise on that question, either in writing or orally, subject to the provisions of 1972 Act Schedule 12 A.
- 30.3 Where the Authority considers a matter which has not previously been the subject to consideration by a Committee or Sub-Committee and of a report by that body to the Authority, the Person Presiding at the Meeting at which the matter is considered shall ensure that the question is not put to the vote before any Officer whose responsibilities relate to the matter under consideration and who asks for such an opportunity has had an opportunity to advise the Authority on the matter.

## Standing Order 31: Rescission of Previous Resolutions

- 31.1 No resolution of the Authority shall be varied or rescinded within the same Municipal Year of the Authority except on the recommendation of the Committee concerned.

## Standing Order 32: Canvassing

- 32.1 Canvassing of any Member of the Authority, a person appointed to discharge any function in relation to a Committee or Sub-Committee or officer of the Authority shall disqualify the candidate concerned in such canvassing for the appointment.
- 32.2 A Member of the Authority shall not solicit for any reason any appointment under the Authority but this shall not preclude a Member from giving a written testimonial of a candidate's ability, experience or character for submission to the Authority.

## Standing Order 33: Restrictions on Disclosure of Confidential Information

- 33.1 No Member shall disclose to any person the whole or any part of the contents of any agenda, report or other document which is marked by the Proper Officer to the effect that it contains “confidential information” as defined in the Local Government Act 1972 and that disclosure to the public would break an obligation of confidence in relation to that information unless and until the document has been made available to the public or the press by or on behalf of the Authority or a Committee or Sub-Committee or such disclosure is otherwise permitted by law.
- 33.2 No Member shall disclose to any person other than a Member of the Authority any matter arising during the proceedings of the Authority or of any Committee or Sub-Committee or any other matter coming in his knowledge by virtue of his office as a Member where such disclosure would prejudice the interest of the Authority unless such disclosure is required by law.
- 33.3 No Member shall, without the consent of the Chair of the Committee, (unless required by law) disclose to any person any decision or proceedings of a Committee or Sub-Committee except:
- 33.3.1 When a report on the matter has been circulated to the Authority by the Committee; or
  - 33.3.2 When the decision has become public knowledge, or
  - 33.3.3 When the matter comes within the delegated powers of the Committee or Sub-Committee and a final decision thereon has been reached.

## Standing Order 34: Delegation to Officers

- 34.1 The Authority shall at its Annual Meeting and on any other occasion it considers appropriate determine which of the powers of the Authority are to be delegated to Officers.

## Standing Order 35: Financial Regulations

- 35.1 The Authority shall at its Annual Meeting and on any other occasion it considers appropriate, prescribe Financial Regulations relating to financial controls and procedures to be observed by Officers.
- 35.2 No decision shall be taken by a Committee or the Authority which would lead to new or increased financial commitments without first considering, where relevant, a report on the matter which complies with the Code of Practice on a Prudential Approach to Local Authority commitments. Such a report shall be required in respect of proposals which:
- I. Would lead to new or increased financial commitments; and
  - II. have insufficient specific revenue budget provision or entail increasing real costs in future years.

## Standing Order 36: Disciplinary Action

- 36.1 No disciplinary action concerning the dismissal of the Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officer, Monitoring Officer or the Director of Finance and Procurement (“the Relevant Officer”) may be taken by the Authority, or by a Committee, a Sub-Committee, a Joint Committee on which the Authority is represented or any other person acting on behalf of the Authority, other than in accordance with a decision by the full Authority.
- 36.2 Disciplinary action short of dismissal in respect of the Relevant Officer may be taken by the Audit Committee in its capacity as the IDC.
- 36.3 Any suspension of the officer in respect of Standing Order 36 for the purpose of investigating the alleged misconduct occasioning the action; and any such suspension must be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect unless agreed otherwise by the Audit Committee.
- 36.4 Any allegation of misconduct and any proposed disciplinary action must comply with the Statutory Officers’ Disciplinary Procedure as currently in force.

## Article 22 – Contract Standing Orders

### 1. **Introduction**

- 1.1 These Contract Standing Orders aim to explain in simple terms the procedures for obtaining written quotations and competitive tenders from suppliers for the provision of Authority Works, Goods and Services.
- 1.2 The Authority’s Constitution incorporates Financial Regulations and Financial Procedure Rules that provide a framework for managing the Authority’s financial affairs. They apply to every Member and Officer of the Authority and anyone acting on its behalf.
- 1.3 The Contract Standing Orders should be read in conjunction with both the Financial Regulations and the Scheme of Delegation which is also found in the Constitution.
- 1.4 The Contract Standing Orders are to be applied consistently with the Public Contracts Regulations 2015 (PCR 2015) or any successor legislation and applicable Procurement Policy Notes (PPNs) as published by Cabinet Office. In the event of a conflict the PCR 2015 will take precedence.

### 2. **How the Authority Procures**

- 2.1 The appropriate procedure to be followed is based upon the total estimated value of the contract (please note that the total value of the contract means the value of the contract over the total number of years it will remain in force – not just the initial purchase cost):

#### **For All Goods, Services and Works**

##### **Under £9,999:**

Works, Goods and Services (with the exception of public utility services i.e. gas, electric and periodical payments) maybe procured using an official order. Officers are responsible for ensuring that value for money is achieved.

**Between £10,000 and £49,999: (see PPN 03/15)**

At least two (2) identifiable quotations must be sought and obtained i.e. either written or electronic.

**For Goods and Services**

**Between £50,000 and £189,329:** Procurement involvement is required and a tendering procedure must be followed.

**Over £189,330 (€200,000):** Compliant with Procurement Regulations. (See PPN 06/19).

**For Works**

**Between £50,000 and £4,733,251:** Procurement involvement is required and a Tendering procedure must be followed.

**Over £4,733,252 (€5,000,000):** Compliant with Procurement Regulations. (See PPN 06/19).

2.2 The Tendering procedure will necessitate a notice seeking expressions of interest for organisations to be published on the e-tendering system ([www.supply4nwfire.org.uk](http://www.supply4nwfire.org.uk)) (or any such equivalent portal operated by the Authority) and on Contracts Finder before the submission of competitive bids for Goods, Services and Works.

2.3 No openly advertised Tendering procedure needs to be followed in respect of:

- I. Contracts for purchase of Goods, Services or Works in respect of which tenders have been obtained from a purchasing consortium (e.g., Yorkshire Purchasing Organisation) or other recognised Government agency (e.g., Crown Commercial Services) where the Authority has been identified in any previous procurement exercise undertaken by the consortium or agency.
- II. Contracts for the supply of Goods which Home Office have specified as the type of Goods which should be used for a particular purpose and only one supplier of such Goods exists.
- III. Contracts for the supply of Goods or Services the price of which is fixed by a trade organisation or government department and no reasonably suitable alternative is available.
- IV. There is no genuine competition for the Goods, Works or Services being procured. Examples of this would include a requirement to utilise the Services of suppliers such as Disclosure and Baring Service, OFCOM and EdExcel.
- V. National Resilience sector led training arrangements with other Fire & Rescue Authorities which operate on a cost recovery basis, and are not commercial arrangements.
- VI. A contract for the engagement of counsel.
- VII. Subscriptions or fees to Government Departments, Professional bodies, Officer or Service Authorities.

- VIII. Stated exclusions within PCR 2015 or
- IX. Where the use of the negotiated procedure without prior publication of a notice has been justified.

2.4 Official orders must be in a form approved by the Director of Finance and Procurement. Official orders must be issued for all work, goods or services to be supplied to the Authority, except for supplies of utilities, periodic payments such as rent or rates, petty cash purchases or other exceptions specified by the Director of Finance and Procurement. **Telephone orders are not to be placed in advance of the official order.** All suppliers must be provided with a unique Financial System (FMIS) generated official purchase order number other than the exceptions specified above.

### **Compliance with Contract Standing Orders**

Every contract made by the Authority or on its behalf shall comply with all relevant domestic legislation, these Contract Standing Orders, Financial Regulations and the Scheme of Delegation. In particular the Authority shall comply with the fundamental principle of equality of treatment of contractors.

It shall be a condition of any contract between the Authority and anyone who is not an officer of the Authority, but who is authorised to carry out any of the Authority's contracts functions, that they comply with these Contract Standing Orders and the Financial Regulations of the Authority as if they were an officer of the Authority.

Every contract must be authorised and signed by the Monitoring Officer or their nominated Deputy as outlined in the Scheme of Delegation.

### **3. Exemptions to the Contract Procedures**

The Budget Holder must obtain approval to apply ANY exemption to the contract procedures outlined above by submitting an Exemption form (see Procurement webpage for link) to the Head of Procurement to consider the request and subject to their approval will forward the request to the Monitoring Officer, for further approval and finally to a Principal Officer for final confirmation of approval.

3.1 Exemptions to the contract procedures are permitted where it can be proven that it is inefficient or uneconomic to comply with the above requirements. Examples are detailed below:

- I. The Goods, Works or Services are unique and provided by only one organisation with no reasonably satisfactory alternatives available.
- II. The procurement involves the purchase of proprietary or patented Goods or Services obtainable from one firm; are sold at a fixed price and no reasonably satisfactory alternative is available.
- III. The Goods, Works or Services constitute an extension of an existing contract which is allowed within the contract terms, or the Goods/materials, Works or Services consist of repairs to, or the supply of parts for, existing proprietary plant or equipment and/or where the initial contract value or specification is not fundamentally changed or increased.
- IV. That new Works or Services are required which are a repetition of Works or Services carried out under an original contract. See also PCR 2015.
- V. That Goods are required as a partial replacement for, or addition to, existing Goods or installations and obtaining them from another source would result



in issues with compatibility or disproportionate technical difficulties in operation or maintenance.

- VI. Tenders are invited on behalf of any consortium or collaboration, of which MFRA is an identified member, in accordance with any method adopted by that body. Where however, an MFRA officer invites tenders on behalf of the consortium the receipt, opening and acceptance of tenders must comply with the MFRA Financial Regulations and Financial Procedure Rules or any overriding National legislation.
- VII. The Goods, Works or Services are of a sensitive nature (such as security) where publication of the tender documents would constitute a security breach and undermine the effectiveness of the final product.

No exemptions will be granted which would result in a breach of UK law, and in particular PCR 2015 or any successor legislation.

- 3.2 For procurement projects under £189,330 for Goods and Services and £4,733,251 for Works, the Head of Procurement or their nominated deputy, Monitoring Officer or their nominated deputy, and Principal Officer must approve any Exemption, prior to any commitment being given by the Authority to any Organisation. The Head of Procurement will keep a register of exemptions granted detailing the nature and value of the contract, the circumstances justifying the exemption and the name of the contractor awarded the contract.

#### 4. Advertising of Contracts

- 4.1 The upper thresholds from 01.01.20 are as follows: (See also PPN 06/19).

<b>Supplies</b>	<b>Services</b>	<b>Works</b>
£189,330	£189,330	£4,733,251

Supplies, Services and Works whose total Contract value exceeds these upper thresholds must be advertised in the FTS (Find a Tender Service) in addition to the procurement portal and Contracts Finder. Further information can be obtained from the Head of Procurement as required.

#### 5. Pre-Quotation/Tender Requirements

- 5.1 Contractors maybe contacted informally without obligation to the Authority before tender or quotations are invited in order to:
  - a. Establish whether the Goods, Works or Services that the Authority wish to purchase are available and within what price range.
  - b. Assess market conditions should the procurement progress.

In making enquiries:

- a. No information shall be disclosed to one contractor which is not then disclosed to all those of which enquiries are made, or which are subsequently invited to tender or quote.
- b. No contractor shall be led to believe that the information they offer will necessarily lead them to be invited to tender or quote, or awarded a contract.

- c. A written record, including notes or any meetings held, the responses and the names of all individuals present shall be kept on the contract file.

- 5.2 Before obtaining tenders for a procurement estimated at a value of £50,000 or more, a detailed specification must be prepared by the project manager/budget holder. The specification is a description of the Services, Supplies or Works that the Authority wishes to procure and the Organisation is expected to tender against and provide.

It will incorporate key performance or criteria for acceptance of the Services, Supplies or Works and be included in the invitation to tender documentation. It must be agreed with the Supplier awarded the contract and form the major part of the formal contract agreed between the Authority and the Supplier.

## 6. **Procurement Portal**

- 6.1 If an organisation wishes to be considered as a potential supplier to the Authority it can register on the North West Authorities e-tendering portal ([www.supply4nwfire.org.uk](http://www.supply4nwfire.org.uk) or any such equivalent portal operated by the Authority) at no cost to the organisation.

All procurements where the value exceeds £50,000 are to be advertised on Contracts Finder.

- 6.2 If the organisation is asked to submit a quotation or tender, they may be required to provide sufficient information for MFRA officers to conduct an assessment on their capacity, capability and financial standing to undertake the work on behalf of the Authority.

## 7. Selection Questionnaire

- 7.1 Selection Questionnaires will be issued where the value of the Contract exceeds the upper thresholds. It is mandatory for a potential supplier to complete Part 1 and Part 2 of the standard Selection Questionnaire, for all procurements above the upper thresholds. See also PPN 8/16.
- 7.2 The questions included in Part 3 of the standard Selection Questionnaire should be adopted across all relevant procurement procedures over the threshold. You do not have to use all the questions – only those relevant and proportionate to the contract.
- 7.3 The questions should be used in line with the relevant procurement procedure, and used:
- as part of the tender pack to test that a potential supplier meets minimum levels of suitability when using the open procedure;
  - to pre-qualify suppliers to be invited to tender when using the restricted procedure;
  - to submit an initial tender under the competitive procedure with negotiation;
  - or to participate in a competitive dialogue, innovation partnership procedure or Dynamic Purchasing System (DPS).
- 7.4 The Authority may utilise the Constructionline Approved Contractors database as a pre-qualification criteria for Works projects where appropriate.

## 8. The Tendering Process

- 8.1 All tendering requirements (£50,000 or more) must be advertised to ensure that the process is transparent, competitive and secures good value for money. A Contract Notice must be placed on the supply4NWFire portal ([www.supply4nwfire.org.uk](http://www.supply4nwfire.org.uk)) or any such equivalent portal operated by the Authority) and on Contracts Finder for all procurements above this value. In addition, any procurements which have an estimated value exceeding the upper Procurement thresholds must be advertised in the FTS.

The two primary methods of tendering are:

- I. **Open Procedure** - This is a one-stage process, where all interested providers responding to a Contract Notice may submit a tender. The Notice will state how interested parties may obtain tender documents and the last date that tenders must be received. Whilst this method ensures absolute fairness, because no contractor is excluded from the process, there may be a significant risk that the number of responses received will be either insufficient or excessive. It may also be difficult to accommodate an adequate financial and technical appraisal within the time constraints of the tendering process so contingencies should be considered.
- II. **Restricted Procedure** – This is a two-stage process in which potential contractors expressing an interest in bidding for a specific contract are evaluated first.

8.2 Three (3) responses must be received to ensure that a Best Value evaluation can take place. In the event that three (3) responses are not received, an application for an Exemption of Contract Procedures must be completed and approved before Contract Award.

## 9. **Other Procedures**

The following procedures are also available for above the upper threshold procurements, where applicability criteria is met.

The Authority may utilise a Competitive Dialogue procedure or Competitive Procedure with Negotiation when:

- The needs of the Authority cannot be met without adaptation of readily available solutions.
- The procurement requirement includes design or innovative solutions.
- The contract cannot be awarded without prior negotiation because of specific circumstances related to the nature, complexity of the legal and financial make up or associated risks
- The technical specification cannot be established by the Authority with reference to a standard common technical specification, technical reference or European Technical Assessment.
- The outcome of an Open or Restricted procedure has elicited only irregular or unacceptable tenders

9.1 **Competitive Dialogue Procedure** – Utilising this procedure a selection is made of those who respond to the Contract Notice. The Authority will then enter into a dialogue with potential bidders to develop one or more suitable solutions for its requirements and on which chosen bidders will be invited to tender.

9.2 **Competitive Procedure with Negotiation** – Utilising this procedure a selection is made of those who respond to the Contract Notice, and only they are invited to submit an initial tender for the contract. The Authority may then open negotiations with the tenderers to seek improved offers.

9.3 **Innovation Partnerships Procedure** – Utilising this procedure a selection is made of those who respond to the Contract Notice. The Authority will then use a negotiated approach to invite suppliers to submit ideas to develop innovate Works, Supplies or Services aimed at meeting a need for which there is no suitable existing 'product' on the market. Under this procedure the Authority is allowed to award partnerships to more than one supplier.

9.4 **Negotiated Procedure Without Prior Publication** – This procedure can only be used in very specific circumstances (e.g., where for technical or artistic reasons or because of the protection of exclusive rights, the contract can only be carried out by a particular supplier). In this instance the Authority would approach one or more suppliers to negotiate the terms of the contract.

9.5 Approval must be sought and received from the Head of Procurement and Monitoring Officer, before commencing any procedure outlined in Section 9 of these Contract Standing Orders.

## 10. Invitation and Submission

- 10.1 Instructions must be issued to those Organisations invited to submit a tender, asking them to complete and return the required documents by a specified date and time. Tenders will be carried out electronically via the supply4nwfire Procurement Portal.

Invitation to tender documents will usually contain the following information:

- Letter of invitation and instructions about the process.
  - Form of tender
  - Specification and/or schedule of rates.
  - Contract terms and conditions.
  - Any relevant supporting information (drawings, maps etc.).
  - Where bids are to be evaluated on the basis of Quality and Price, the tender documentation must also specify the criteria for evaluation and the evaluation matrix including the Price/Quality ratio.
- 10.2 Completed tenders **MUST** be submitted on the portal by the date and time specified. Late tenders will not be accepted.
- 10.3 It is important that Organisations are given sufficient time to adequately research and compile their bids. This includes enough time to seek accurate estimates from their sub-contractors. The Authority's minimum time for the return of priced tenders for below the upper threshold procurements is fourteen (14) days from date of issue, although best practice suggests that at least twenty-one (21) days should be allowed. All procurement which exceed the upper thresholds must use the timescales outlined in the Regulations.
- 10.4 The specified time to submit tenders/quotations may be extended in exceptional circumstances provided that all Organisations involved in the process are notified of the revised date and time and no potential supplier is disadvantaged by the deadline extension.

## 11. Opening of Tenders

- 11.1 Electronic Tenders must be delivered to the designated e-tendering system by bidders prior to the stated closing date and time set out in the Invitation to Tender. All electronic tender submissions are retained in a virtual 'locked box' until the designated opening time. The system will hold each submission unopened and with no reference to the contents of the response until 'box' is opened. An activity log within the system provides a full audit trail logging any activity, recording the name of the person accessing the box, date, time and any activity undertaken.
- 11.2 Unless tenders have been received electronically, a Procurement officer will facilitate the tender opening procedure and a written record indicating the name of the supplier and the value of the tender must be completed and signed by the officers opening the submitted bids.

## 12. **Evaluation of Tenders and Quotations**

- 12.1 Officers will check all tenders for completeness and potential discrepancies. Where errors or discrepancies are found that may affect the tender sum, the tenderer may be notified and afforded an opportunity to confirm the submitted sum without amendment, amend their bid to correct an arithmetical error, or withdraw their bid. A written record of any revisions or withdrawals must be maintained.
- 12.2 The Authority evaluate and award contracts to the Organisation it considers offers the best value for money having regard to both price and quality factors. This is sometimes referred to as the 'most economically advantageous tender' (MEAT) and provides for the contract to be awarded to the company best able to meet the Authority's specification.
- 12.3 To ensure fairness the evaluation criteria and evaluation method must be clearly defined in the tender documentation. Award criteria will vary depending on the type of contract, as opposed to selection criteria which will be similar in nature. See also PPN 8/16.

Where the lowest are for £100,000 or more the Responsible Officer shall obtain the following information in respect of the lowest 2 tenders:

- The Authority's internal financial appraisal of the lowest two (2) tenders.
- An independent financial appraisal supplied by a business information service.

## 13. **Post Tender Clarification**

- 13.1 After the receipt of tenders, officers may need to contact tenderers to clarify technical and contractual information as part of the evaluation process. Any such communication must be confidential and a written record made of the reason for contact and the decision made.

## 14. **Contract Award – Tenders and Quotations**

- 14.1 The award of a contract the value of which exceeds £250,000 must be approved by the Authority (or committee with the relevant powers).
- 14.2 The successful Organisation should be notified promptly following acceptance of the tender, and the contract must be issued for signature by the Organisation. On receipt, the Authority will sign the Contract to form the legally binding agreement. Authorised signatories are the Monitoring Officer, and their nominated deputy.
- 14.3 All unsuccessful tenderers should also be notified promptly in writing. All submissions and supporting documentation are to be retained for as long as is stated in the Records Retention Schedule.

## 15. **Corrupt Practices**

- 15.1 In every written contract a clause must be inserted to ensure that the Authority is entitled to terminate the contract and recover from the contractor the amount of any loss resulting from corrupt practises. If the contractor has offered, given or agreed to give to any person any gift or consideration of any kind as an inducement, or reward for doing or not doing anything related to the contract or another contract with the Authority, or for favouring or not favouring any person in relation to such

contract, or similar acts have been done by any person employed by the contractor or acting on their behalf, or the contractor or any person employed by them or acting on their behalf has committed any offence under the Bribery Act (2010) or any amendment of them or shall have given any fee or reward, the receipt of which is an offence under the Local Government Act 1972.

**16. Third Parties**

16.1 In cases where a third party, such as a local authority or private architect or consultant, is employed to act for the Authority in the carrying out of works or purchase of supplies, it shall be a term of their appointment that they shall:

- Observe or otherwise secure the observance of the procedures prescribed within these Standing Orders.
- Produce on demand, all records maintained by them in relation to the contract; and
- On completion of a contract, transmit all such records to the Chief Fire Officer or the Director of Finance and Procurement.

**17. Assignment**

17.1 In every written contract for the execution of work or the supply of Goods or Services the Contractor shall be prohibited from transferring or assigning or novating directly or indirectly to any person or persons whatever, any portion of his contract without the written permission of the Authority, Sub-letting, other than that which may be customary in the trade concerned, shall be prohibited.

**18. Sealed Contracts**

18.1 All contracts and orders shall be in writing and made in the name of the Authority.

18.2 All Contracts which relate to the purchase of land, or have potential long term liabilities and would benefit from the added legal protection afforded by the process of sealing shall be made by affixing the Common Seal. This shall only be attested by the Monitoring Officer or nominated Deputy.

**19. Term of Contract**

19.1 The term of a contract may be extended with the approval of the budget holder if there is provision within the contract terms and conditions to extend and the agreement of the Director of Finance and Procurement has been received with regards to budgetary provision. If the contract has already been extended to the full extent within the provisions of the existing contract, it cannot be extended further.

19.2 If there is no provision within the contract terms and conditions for the contract to be extended by the submission of an Exemption to Contracts Procedures (Section 3) for the approval of the Head of Procurement, Monitoring Officer and a Principal Officer.

- 19.3 The Contract Term cannot be extended where this would result in the value of the contract exceeding the European Procurement threshold, would make a fundamental change to the Contract award previously made or extending the Contract Period not previously identified in the Contract Notice. See also PCR 2015.

## Article 23 – Financial Regulations 2021-2022

### Status of Financial Regulations

- 1.1 Financial Regulations provide the framework for managing the Authority's financial affairs. They apply to every member and officer of the Authority and anyone acting on its behalf.
- 1.2 The Regulations identify the financial responsibilities of the Authority, the Chief Fire Officer, the Deputy Chief Fire Officer, the Monitoring Officer (Head of Legal and Democratic Service), the Director of Finance and Procurement and other members of the Strategic Leadership Team (SLT). SLT includes both the Executive Team and Director Team. SLT officers should maintain a written record where decision making has been delegated to members of their staff, including seconded staff. Where decisions have been delegated or devolved to other responsible officer's references to the SLT officer in the Regulations should be read as referring to them.
- 1.3 All members and staff have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, is properly authorised, provides value for money and achieves best value.
- 1.4 The Director of Finance and Procurement is responsible for maintaining a continuous review of the Financial Regulations and submitting any additions or changes necessary to the Authority for approval. The Director of Finance and Procurement is also responsible for reporting, where appropriate, breaches of the Financial Regulations to the Authority.
- 1.5 The Authority's detailed financial procedures, setting out how the Regulations will be implemented, are contained in the appendices to the Financial Regulations.
- 1.6 SLT officers and budget managers are responsible for ensuring that all staff in their departments are aware of the existence and content of the Authority's Financial Regulations and other internal regulatory documents and that they comply with them. They must also ensure that an adequate number of copies are available for reference within their departments.
- 1.7 The Director of Finance and Procurement is responsible for issuing advice and guidance to underpin the Financial Regulations that members, officers and others acting on behalf of the Authority are required to follow. She/he is also responsible for ensuring that adequate training is available to allow SLT officers and managers to comply with their duties.



## Financial Regulations A: Financial Management

### Introduction

- A1 Financial management covers all financial accountabilities in relation to the running of the Authority, including the policy framework and budget.

### The Statutory Officers

#### Chief Fire Officer

- A2 The Chief Fire Officer is responsible for the corporate and overall strategic management of the Authority as a whole. He or she must report to and provide information for the Authority and its committees. He or she is responsible for establishing a framework for management direction, style and standards and for monitoring the performance of the organisation. The Chief Fire Officer is also responsible, together with the Monitoring Officer, for the system of record keeping in relation to all the Authority's decisions (see below).

#### Solicitor to the Authority and Monitoring Officer

- A3 The Monitoring Officer is the Solicitor to the Authority and is responsible for promoting and maintaining high standards of member conduct. The Monitoring Officer is also responsible for reporting any actual or potential breaches of the law or maladministration to the Authority, and for ensuring that procedures for recording and reporting decisions are operating effectively.
- A4 The Monitoring Officer must ensure that Authority decisions and the reasons for them are made public. He or she must also ensure that members are aware of decisions made by the Authority, its committees and of those made by officers who have delegated responsibility.
- A5 The Monitoring Officer is responsible for advising all councillors and officers about who has authority to take a particular decision.
- A6 The Monitoring Officer is responsible for advising the Authority about whether a decision is likely to be considered contrary or not wholly in accordance with the policy framework.
- A7 The Monitoring Officer (together with the Director of Finance and Procurement) is responsible for advising the Authority about whether a decision is likely to be considered contrary or not wholly in accordance with the budget. Actions that may be 'contrary to the budget' include:
- I. Initiating a new policy.
  - II. Committing expenditure in future years to above the budget level.
  - III. Incurring interdepartmental transfers above virement limits.

- IV. Causing the total expenditure financed from council tax, grants and corporately held reserves to increase, or to increase by more than a specified amount.

## The Director of Finance and Procurement

A8 The Director of Finance and Procurement is the s.151 Officer (also referred to as the Chief Finance Officer) to the Authority and has statutory duties in relation to the financial administration and stewardship of the Authority. This statutory responsibility cannot be overridden. The statutory duties arise from:

- I. Section 73 and 105<sup>1</sup> of the Local Government Act 1985.
- II. The Local Government Finance Act 1988.
- III. The Local Government and Housing Act 1989.
- IV. The Accounts and Audit Regulations 2015.

A9 The Director of Finance and Procurement is responsible for:

- I. The proper administration of the Authority's financial affairs.
- II. Setting and monitoring compliance with financial management standards.
- III. Advising on the corporate financial position and on the key financial controls necessary to secure sound financial management.
- IV. Providing financial information.
- V. Preparing the revenue budget and capital programme.
- VI. Treasury management.

A10 Section 114 of the Local Government Finance Act 1988 requires the Director of Finance and Procurement to report to the Authority and external auditor if the Authority or one of its officers:

- I. Has made, or is about to make, a decision which involves incurring unlawful expenditure.
- II. Has taken, or is about to take, an unlawful action which has resulted or would result in a loss or deficiency to the Authority.
- III. Is about to make an unlawful entry in the Authority's accounts.

Section 114 of the 1988 Act also requires:

- I. The Director of Finance and Procurement to nominate a properly qualified member of staff to deputise should he or she be unable to perform the duties under Section 114 personally.

---

<sup>1</sup> See "A Statement on the Role of the Director of Resources in Local Government" (CIPFA, 1999)

- II. The Authority to provide the Director of Finance and Procurement with sufficient staff, accommodation and other resources – including legal advice where this is necessary – to carry out the duties under Section 114.

## Strategic Leadership Team

- A11 Officers on the SLT are responsible for ensuring that Authority members are advised of the financial implications of all proposals and that the financial implications have been agreed by the Director of Finance and Procurement.
- A12 It is the responsibility of SLT officers to consult with the Director of Finance and Procurement and seek approval on any matter liable to affect the Authority's finances materially, before any commitments are incurred.

## Other Financial Accountabilities

### Virement

- A13 The Authority is responsible for agreeing procedures for virement of expenditure between budget headings.
- A14 SLT officers are responsible for agreeing in-year virements within delegated limits, in consultation with the Director of Finance and Procurement. They must notify the Director of Finance and Procurement of all proposed virements.

### Treatment of Year-end Balances

- A15 The Authority is responsible for agreeing procedures for carrying forward under and overspendings on budget headings.

### Accounting Policies

- A16 The Director of Finance and Procurement is responsible for selecting accounting policies and ensuring they are applied consistently.

### Accounting Records and Returns

- A17 The Director of Finance and Procurement is responsible for determining the accounting procedures and records for the Authority.

### The Annual Statement of Accounts

- A18 The Director of Finance and Procurement is responsible for ensuring that the annual statement of accounts is prepared in accordance with the *Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice (CIPFA/LASAAC)*. The Authority is responsible for approving the annual statement of accounts.

## Financial Regulation B: Financial Planning

### Introduction

- B1 The Authority is responsible for agreeing the policy framework and budget. In terms of financial planning, the key elements are:
- I. The corporate plan/IRMP (Integrated Risk Management Plan).
  - II. The budget.
  - III. The capital programme and related Asset Management Plans.

### Policy Framework

- B2 The Authority is responsible for approving the policy framework and budget. The policy framework comprises the following plans and strategies:
- I. Corporate financial plan.
  - II. Capital programme.
  - III. Treasury management policy statement.
- B3 The Authority is also responsible for approving procedures for agreeing variations to approved budgets, plans and strategies forming the policy framework and for determining the circumstances in which a decision will be deemed to be contrary to the budget or policy framework. Decisions should be referred to the Authority by the Monitoring Officer.
- B4 The Authority is responsible for setting the level at which officers may reallocate budget funds from one service to another. SLT officers are responsible for taking in-year decisions on resources and priorities in order to deliver the budget policy framework within the financial limits set by the Authority.

### Budgeting

#### Budget Format

- B5 The general format of the budget will be approved by the Authority and on the advice of the Director of Finance and Procurement. The draft budget should include allocation to different services and projects, proposed taxation levels and contingency funds.

#### Budget Preparation

- B6 The Director of Finance and Procurement is responsible for ensuring that a revenue budget is prepared on an annual basis and a general revenue plan on a five-yearly basis is maintained for consideration by the Authority. The Authority may amend the budget before approving it.

- B7 The Director of Finance and Procurement is responsible for issuing guidance on the general content of the budget in consultation with the Chief Fire Officer as soon as possible following approval by the Authority.
- B8 It is the responsibility of SLT officers to ensure that budget estimates reflecting agreed service plans are submitted and that these estimates are prepared in line with guidance issued.

## Budget Monitoring and Control

- B9 The Director of Finance and Procurement is responsible for providing appropriate financial information to enable budgets to be monitored effectively. He or she must monitor and control expenditure against budget allocations and report to the Authority on the overall position on a regular basis.
- B10 It is the responsibility of SLT officers to control income and expenditure within their area and to monitor performance, taking account of financial information provided by the Director of Finance and Procurement. They should report on variances within their own areas. They should also take any action necessary to avoid exceeding their budget allocation and alert the Director of Finance and Procurement to any problems.

## Resource Allocation

- B11 The Director of Finance and Procurement is responsible for developing and maintaining a resource allocation process that ensures due consideration of the Authority's policy framework.

## Preparation of the Capital Programme

- B12 The Director of Finance and Procurement is responsible for ensuring that a five (5) year capital programme is prepared on an annual basis for consideration by the Authority.

## Guidelines

- B13 Guidelines on budget preparation are issued to members and SLT officers by the Director of Finance and Procurement. The guidelines will take account of:
- I. Legal requirements.
  - II. Medium-term planning prospects.
  - III. The corporate plan (IRMP).
  - IV. Available resources.
  - V. Spending pressures.
  - VI. Best value and other relevant government guidelines.
  - VII. Other internal policy documents.

## VIII. Cross-cutting issues (where relevant).

### Maintenance of Reserves

- B14 It is the responsibility of the Director of Finance and Procurement to advise the Authority on prudent levels of reserves for the Authority.

## Financial Regulation C: Risk Management and Control of Resources

### Introduction

- C1 It is essential that robust, integrated systems are developed and maintained for identifying and evaluating all significant operational risks to the Authority. This should include the proactive participation of all those associated with planning and delivering services.

### Risk Management

- C2 The Authority is responsible for approving the Authority's risk management policy statement and strategy and for reviewing the effectiveness of risk management. The Authority on the advice of the Monitoring Officer (in consultation with the Chief Fire Officer and the Director of Finance and Procurement) is responsible for ensuring that proper insurance exists where appropriate.
- C3 The Authority is responsible for approving the Authority's Business Continuity Management policy statement and strategy and for reviewing the effectiveness of Business Continuity. The Authority on the advice of the Deputy Chief Fire Officer (in consultation with the Chief Fire Officer, the Director of Finance and Procurement and the Monitoring Officer) is responsible for ensuring that proper Business Continuity plans exist where appropriate.
- C4 The Chief Fire Officer, in consultation with the Director of Finance and Procurement and Monitoring Officer, is responsible for preparing the Authority's risk management policy statement, for promoting it throughout the Authority and for advising the executive on proper insurance cover where appropriate.
- C5 The Authority has an annually approved risk register.
- C6 The Authority has approved Organisation and Departmental Business Continuity Plans.
- C7 SLT members are responsible for maintaining the risk register and Business Continuity plans in their own areas of responsibility and ensuring adequate risk management and business continuity fall-back arrangements are in place for all projects.

### Internal Control

- C8 Internal control refers to the systems of control devised by management to help ensure the Authority's objectives are achieved in a manner that promotes

economical, efficient and effective use of resources and that the Authority's assets and interests are safeguarded.

- C9 The Director of Finance and Procurement is responsible for advising on effective systems of internal control. These arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice. They should ensure that public funds are properly safeguarded and used economically, efficiently, and in accordance with the statutory and other authorities that govern their use.
- C10 It is the responsibility of SLT officers to establish sound arrangements for planning, appraising and controlling their operations in order to achieve continuous improvement, economy, efficiency and effectiveness and for achieving their financial performance targets.

## Audit Requirements

- C11 The Accounts and Audit Regulations 2015 issued by the Secretary of State require every local authority to maintain an adequate and effective internal audit.
- C12 The Local Government Association (Public Sector Audit Appointments Limited) will be responsible for overseeing the Audit Commission's current external audit contracts with audit firms from 1 April 2015. The basic duties of the external auditor are governed by section 15 of the Local Government Finance Act 1982, as amended by section 5 of the Audit Commission Act 1998.
- C13 The Authority may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Customs and Excise and the Inland Revenue, who have statutory rights of access.

## Preventing Fraud and Corruption

- C14 The Monitoring Officer (in consultation with the Director of Finance and Procurement) is responsible for the development and maintenance of an anti-fraud and anti-corruption policy.

## Assets

- C15 SLT officers should ensure that records and assets are properly maintained and securely held. They should also ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place.

## Treasury Management

- C16 The Authority has adopted CIPFA's Code of Practice for Treasury Management in Public Services.
- C17 The Authority will create and maintain, as the cornerstones for effective treasury management:
- I. A treasury management policy statement, stating the policies, objectives and approach to risk management of its treasury management activities.



- II. Suitable Treasury Management Practices (TMPs), setting out the manner in which the organisation will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.

C18 The Authority will receive reports on its treasury management policies, practices and activities, including as a minimum, an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close, in the form prescribed in its TMPs.

C19 The Authority delegates responsibility for the implementation and monitoring of its treasury management policies and practices to SLT, and for the execution and administration of treasury management decisions to the Director of Finance and Procurement, who will act in accordance with the Authority's policy statement and TMPs and CIPFA's Standard of Professional Practice on Treasury Management.

C20 The Authority nominates the Policy and Resources Committee together with the Audit Committee to be responsible for ensuring effective scrutiny of the treasury management strategy and policies.

## Staffing

C21 The Authority is responsible for determining how officer support for executive and non-executive roles within the Authority will be organised.

C22 The Chief Fire Officer is responsible for providing overall management to staff. He or she may vary the grading of individual non-uniformed posts up to (but not including) Director of Finance and Procurement (including progression within and between grades), having regard to the national Job Evaluation Scheme and in consultation with the relevant trade union(s).

C23 SLT officers are responsible for controlling total staff number by:

- I. Advising the Authority on the budget necessary in any given year to cover estimated staffing levels.
- II. Adjust the staffing to a level that can be funded within approved budget provision, varying the provision as necessary within that constraint in order to meet changing operational needs.
- III. The proper use of appointment procedures.

## Financial Regulation D: Systems and Procedures

### Introduction

D1 Sound systems and procedures are essential to an effective framework of accountability and control.

## General

- D2 The Director of Finance and Procurement is responsible for the operation of the Authority's accounting systems, the form of accounts and the supporting financial records. Any changes made by SLT officers to the existing financial systems or the establishment of new systems must be approved by the Director of Finance and Procurement. However, SLT officers are responsible for the proper operation of financial processes in their own departments.
- D3 Any changes to agreed procedures by SLT officers to meet their own specific service needs should be agreed with the Director of Finance and Procurement.
- D4 SLT officers should ensure that their staff receive relevant financial training that has been approved by the Director of Finance and Procurement.
- D5 SLT officers must ensure that, where appropriate, computer and other systems are registered in accordance with data protection legislation. SLT officers must ensure that staff are aware of their responsibilities under freedom of information legislation.

## Payments to Employees and Members

- D6 The Director of Finance and Procurement is responsible for all payments of salaries and wages to all staff, including payments for overtime, and for payment of allowances to members. He or she is also responsible for the payment of pensions to retired firefighters.

## Taxation

- D7 The Director of Finance and Procurement is responsible for advising ST officers, in the light of guidance issued by appropriate bodies and relevant legislation as it applies, on all taxation issues that affect the Authority.
- D8 The Director of Finance and Procurement is responsible for maintaining the Authority's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date as appropriate.

## Trading Accounts/Business Units

- D9 It is the responsibility of the Director of Finance and Procurement to advise on the establishment and operation of trading accounts and business units.

## Financial Regulation E: External Arrangements

### Partnerships

- E1 The Authority is responsible for approving delegations and has approved a Partnership Strategy for partnerships. The Authority is the focus for forming partnerships with other local public, private, voluntary and community sector organisations to address local needs.

- E2 The Chief Fire Officer represents the Authority on partnership and external bodies, in accordance with the Scheme of Delegation and the Partnership Strategy.
- E3 The Monitoring Officer and the Director of Finance and Procurement are responsible for promoting and maintaining the same high standards of conduct with regard to financial administration in partnerships that apply throughout the Authority.
- E4 The Director of Finance and Procurement must ensure that the accounting arrangements to be adopted relating to partnerships and joint ventures are satisfactory. He or she must also consider the overall corporate governance arrangements and legal issues when arranging contracts with external bodies. He or she must ensure that the risks have been fully appraised before agreements are entered into with external bodies.
- E5 SLT officers are responsible for ensuring that appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies.
- E6 The Authority has approved a central register of all partnership agreements and a monitoring and review procedure.

## External Funding

- E7 The Director of Finance and Procurement is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the Authority's accounts.

## Work for Third Parties

- E8 The Authority is responsible for approving the contractual arrangements for any work for third parties or external bodies.

## Appendix A: Financial Management

### Financial Management Standards

#### Why is this important?

- 1.01 All staff and members have a duty to abide by the highest standards of probity in dealing with financial issues. This is facilitated by ensuring that everyone is clear about the standards to which they are working and the controls that are in place to ensure that these standards are met.

#### Key Controls

- 1.02 The key controls and control objectives for financial management standards are:
  - a. Their promotion throughout the Authority.
  - b. A monitoring system to review compliance with financial standards, and regular comparisons of performance indicators and benchmark standards that are reported to the Authority.

### Responsibilities of the Director of Finance and Procurement

- 1.03 To ensure proper administration of the financial affairs of the Authority.
- 1.04 To set the financial management standards and to monitor compliance with them.
- 1.05 To ensure proper professional practices are adhered to and to act as head of profession in relation to the standards, performance and development of finance staff throughout the Authority.
- 1.06 To advise on the key strategic controls necessary to secure sound financial management.
- 1.07 To ensure that financial information is available to enable accurate and timely monitoring and reporting of comparisons of national and local financial performance indicators.

### Responsibilities of SLT Officers

- 1.08 To promote the financial management standards set by the Director of Finance and Procurement in their departments and to monitor adherence to the standards and practices, liaising as necessary with the Director of Finance and Procurement.
- 1.09 To promote sound financial practices in relation to the standards, performance and development of staff in their departments.

## Managing Expenditure

### Scheme of Virement

#### Why is this important?

- 1.10 The scheme of virement is intended to enable the SLT officers and their staff to manage budgets with a degree of flexibility within the overall policy framework determined by the Authority, and therefore to optimise the use of resources.

#### Key Controls

- 1.11 Key controls for the scheme of virement are:
  - a. It is administered by the Director of Finance and Procurement within guidelines set by the Authority. Any variation from this scheme requires the approval of the Authority.
  - b. The overall budget is approved by the Authority. SLT officers and budget managers are therefore authorised to incur expenditure in accordance with the estimates that make up the budget. The rules below cover virement; that is, switching resources between approved estimates or heads of expenditure. For the purpose of this scheme, a budget head is considered to be a line in the approved estimates report, or, as a minimum, at an equivalent level to the standard service subdivision as defined by CIPFA's Service Expenditure Analysis.
  - c. Virement does not create additional overall budget liability. SLT officers are expected to exercise their discretion in managing their budgets responsibly and prudently. For example, they should aim to avoid supporting recurring expenditure from one-off sources of savings or additional income, or creating future commitments, including full-year effects of decisions made part way through a year, for which they have not identified future resources. SLT officers must plan to fund such commitments from within their own budgets.

### Responsibilities of the Director of Finance and Procurement

- 1.12 To prepare jointly with the SLT officer a report to the Authority where virements in excess of £50,000 are proposed.
- 1.13 To report all virements below this level to the Authority through financial monitoring reports.

### Responsibilities of SLT Officers

- 1.14 SLT officers may exercise virement on budgets under their control for amounts up to £50,000 on any one budget head during the financial year, following notification to the Director of Finance and Procurement under arrangements agreed by the Authority and subject to the conditions in paragraphs 1.15 to 1.17 below.
- 1.15 Amounts greater than £50,000 require the approval of the Authority, following a joint report by the Director of Finance and Procurement and the SLT officer, which

must specify the proposed expenditure and the source of funding, and must explain the implications in the current and future financial year.

- The prior approval of the Authority is required for any virement, of whatever amount, where it is proposed to change Authority policy.
- Virement that is likely to impact on the level of service activity of another SLT officer should be implemented only after agreement with the relevant SLT officer.

1.16 No virement relating to a specific financial year should be made after 31 March in that year.

1.17 Where an approved budget is a lump sum budget or contingency intended for allocation during the year, its allocation will not be treated as a virement, provided that:

- a. The amount is used in accordance with the purposes for which it has been established.
- b. The Authority has approved the basis and the terms, including financial limits, on which it will be allocated. Individual allocations in excess of the financial limits should be reported to the Authority.

## Treatment of Year-End Balances

Why is it important?

1.18 The Authority's scheme of virement sets out the Authority's treatment of year end balances. It is administered by the Director of Finance and Procurement within guidelines set by the Authority. Any variation from the scheme of virement (as set out above) requires the approval of the Authority.

1.19 The rules below cover arrangements for the transfer of resources between accounting years i.e., a carry-forward. For the purposes of this scheme, a budget heading is a line in the estimates report (or, as a minimum, at an equivalent level to the standard service sub division as defined by CIPFA in its Service Expenditure Analysis).

## Key Controls

1.20 Appropriate accounting procedures are in operation to ensure that carried-forward totals are correct.

## Responsibilities of the Director of Finance and Procurement

1.21 To administer the scheme of carry-forward within the guidelines approved by the Authority.

1.22 To report all overspendings and underspending on service estimates carried forward to the executive and to the Authority.

## Responsibilities of SLT Officers

- 1.23 Any overspending on service estimates in total on budgets must be carried forward to the following year, and will constitute the first call on service estimates in the following year. The Director of Finance and Procurement will report the extent of overspendings carried forward to the Authority.
- 1.24 Net underspending on service estimates under the control of the SLT officer may be carried forward, subject to:
- a. Reporting to the Authority the source of understanding or additional income and the proposed application of those resources.
  - b. The approval of the Authority where the underspending exceeds 5% of the individual budget heading or £50,000, whichever is less.
  - c. The consideration of the overall financial position of the Authority and service priorities.
- 1.25 All internal business unit surpluses shall be retained for the benefit of the Authority and their application shall require the approval of the Authority.

## Accounting Policies

### Why is this important?

- 1.26 The Director of Finance and Procurement is responsible for the preparation of the Authority's statement of accounts, in accordance with proper practices as set out in the format required by the Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice (CIPFA/LASAAC), for each financial year ending 31 March.

### Key Controls

- 1.27 The key controls for accounting policies are:
- a. Systems of internal control are in place that ensure that financial transactions are lawful.
  - b. Suitable accounting policies are selected and applied consistently.
  - c. Proper accounting records are maintained.
  - d. Financial statements are prepared which present fairly the financial position of the Authority and its expenditure and income.

## Responsibilities of the Director of Finance and Procurement

- 1.28 To select suitable accounting policies and to ensure that they are applied consistently. The accounting policies are set out in the statement of accounts, which is prepared at 31 March each year, and covers such items as:
- a. Separate accounts for capital and revenue transactions.

- b. The basis on which debtors and creditors at year end are include in the accounts.
- c. Details on substantial provisions and reserves.
- d. Fixed assets.
- e. Depreciation.
- f. Capital charges.
- g. Work in progress.
- h. Stocks and stores
- i. Deferred charges.
- j. Accounting for value added tax.
- k. Government grants.
- l. Leasing.
- m. Pensions.

## Responsibilities for SLT Officers

- 1.29 To adhere to the accounting policies and guidelines approved by the Director of Finance and Procurement.

## Accounting Records and Returns

Why is this important?

- 1.30 Maintaining proper accounting records is one of the ways in which the Authority discharges its responsibility for stewardship of public resources. The Authority has a statutory responsibility to prepare its annual accounts to present fairly its operations during the year. These are subject to external audit. This audit provides assurance that the accounts are prepared properly, that proper accounting practices have been followed and that quality arrangements have been made for securing economy, efficiency and effectiveness in the use of the Authority's resources.

## Key Controls

- 1.31 The key controls for accounting records and returns are:
- a. All members, finance staff and budget managers operate within the required accounting standards and timetables.
  - b. All the Authority's transactions, material commitments and contracts and other essential accounting information are recorded completely, accurately and on a timely basis.



- c. Procedures are in place to enable accounting records to be reconstituted in the event of systems failure.
- d. Reconciliation procedures are carried out to ensure transactions are correctly recorded.
- e. Prime documents are retained in accordance with legislative and other requirements.

## Responsibilities of the Director of Finance and Procurement

- 1.32 To determine the accounting procedures and records for the Authority. Where these are maintained outside the finance department, the Director of Finance and Procurement should consult the SLT officer concerned.

- 1.33 To arrange for the compilation of all accounts and accounting records under his or her direction.
- 1.34 To comply, as far as practicable, with the following principles when allocating accounting duties:
  - a. Separating the duties of providing information about sums due to or from the Authority and calculating, checking and recording these sums from the duty of collecting or disbursing them.
  - b. Employees with the duty of examining or checking the accounts of cash transactions must not themselves be engaged in these transactions.

Where such arrangements are not practical alternative controls must be agreed with the Director of Finance and Procurement.
- 1.35 To make proper arrangements for the audit of the Authority's accounts in accordance with the Accounts and Audit Regulations 2015.
- 1.36 To ensure that all claims for funds including grants are made by the due date.
- 1.37 To prepare and publish the audited accounts of the Authority for each financial year, in accordance with the statutory timetable and with the requirement for the Authority to approve the statement of accounts before 30 July.
- 1.38 To administer the Authority's arrangements for under and overspendings to be carried forward to the following financial year.
- 1.39 To ensure the proper retention of financial documents in accordance with all legal requirements and as set out in the Authority's document retention schedule.

## Responsibilities of SLT

- 1.40 To consult and obtain the approval of the Director of Finance and Procurement before making any changes to accounting records and procedures.
- 1.41 To comply with the principles outlined above when allocating accounting duties.
- 1.42 To maintain adequate records to provide a management trail leading from the source of income/expenditure through to the accounting statements.
- 1.43 To supply information require to enable the statement of accounts to be completed in accordance with guidelines issued by the Director of Finance and Procurement.

## The Annual Statement of Accounts

### Why is this important?

- 1.44 The Authority has a statutory responsibility to prepare its own accounts to present fairly its operations during the year. The Authority is responsible for approving

the statutory annual statement of accounts.

#### Key Controls

- 1.45 The key controls for the annual statement of accounts are:
- I. The Authority is required to make arrangements for the proper administration of its financial affairs and to secure that one of its officers has the responsibility for the administration of these affairs. In this Authority, that officer is the Director of Finance and Procurement.
  - II. The Authority's statement of accounts must be prepared in accordance with proper practices as set out in the Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice (the SORP) (CIPFA/LASAAC).

#### Responsibilities of the Director of Finance and Procurement

- 1.46 To select suitable accounting policies and to apply them consistently.
- 1.47 To make judgements and estimates that are reasonable and prudent.
- 1.48 To comply with the SORP.
- 1.49 To sign and date the statement of accounts, stating that it presents fairly the financial position of the Authority at the accounting date and its income and expenditure for the year ended 31 March 20xx.
- 1.50 To draw up the timetable for final accounts preparation and to advise staff and external auditors accordingly.

#### Responsibilities of SLT Officers

- 1.51 To comply with accounting guidance provided by the Director of Finance and Procurement and to supply the Director of Finance and Procurement with information when required.

## Appendix B – Financial Planning

### Performance Plans

Why is this important?

- 2.01 The Authority has a statutory responsibility to publish various performance plans including integrated risk management plans etc. The purpose of performance plans is to explain overall priorities and objectives, current performances and proposals for further improvement.

### Key Controls

- 2.02 The key controls for performance plans are:
- a. To ensure that all relevant plans are produced and that they are consistent.
  - b. To produce plans in accordance with statutory requirements.
  - c. To meet the timetables set.
  - d. To ensure that all performance information is accurate, complete and up-to-date.
  - e. To provide improvement targets which are meaningful, realistic and challenging.

### Responsibilities of the Director of Finance and Procurement

- 2.03 To advise and supply the financial information that needs to be included in performance plans in accordance with statutory requirements and agreed timetables.
- 2.04 To contribute to the development of corporate and service targets and objectives and performance information.
- 2.05 To ensure that systems are in place to measure activity and collect accurate information for use as performance indicators.
- 2.06 To ensure that performance information is monitored sufficiently frequently to allow corrective action to be taken if targets are not likely to be met.

### Responsibilities of SLT Officer

- 2.07 To contribute to the development of performance plans in line with statutory requirements.
- 2.08 To contribute to the development of corporate and service targets and objectives and performance information.

## Budgeting

### Format of the Budget

#### Why is this important?

- 2.09 The format of the budget determines the level of detail to which financial control and management will be exercised. The format shapes how the rules around virement operate, the operation of cash limits and sets the level at which funds may be reallocated within budgets.

#### Key Controls

- 2.10 The key controls for the budget format are:
- a. The format complies with all legal requirements.
  - b. The format complies with CIPFA's Service Reporting Code of Practice.
  - c. The format reflects the accountabilities of service delivery.

### Responsibilities of the Director of Finance and Procurement

- 2.11 To advise the Authority on the format of the budget that is approved.

### Responsibilities of SLT Officers

- 2.12 To comply with accounting guidance provided by the Director of Finance and Procurement.

### Revenue Budget Preparation, Monitoring and Control

#### Why is this important?

- 2.13 Budget management ensures that once the budget has been approved by the Authority, resources allocated are used for their intended purposes and are properly accounted for. Budgetary control is a continuous process, enabling the Authority to review and adjust its budget targets during the financial year. It also provides the mechanism that calls to account managers responsible for defined elements of the budget.
- 2.14 By continuously identifying and explaining variances against budgetary targets, the Authority can identify changes in trends and resource requirements at the earliest opportunity. The Authority itself operates within an annual cash limit, approved when setting the overall budget. To ensure that the Authority in total does not overspend, each service is required to manage its own expenditure within the cash-limited budget allocated to it.
- 2.15 For the purposes of budgetary control by managers, a budget will normally be the planned income and expenditure for a service area or cost centre. However, budgetary control may take place at a more detailed level if this is required by the SLT officer's scheme of delegation.

## Key Controls

- 2.16 The key controls for managing and controlling the revenue budget are:
- a. Budget managers should be responsible only for income and expenditure that they can influence.
  - b. There is a nominated budget manager for each cost centre heading.
  - c. Budget managers accept accountability for their budgets and the level of service to be delivered and understand their financial responsibilities.
  - d. Budget managers follow an approved certification process for all expenditure.
  - e. Income and expenditure are properly recorded and accounted for.
  - f. Performance levels/levels of service are monitored in conjunction with the budget and necessary action is taken to align service outputs and budget e.g., by budgetary virement.

## Responsibilities of the Director of Finance and Procurement

- 2.17 To establish an appropriate framework of budgetary management and control that ensures that:
- a. Budget management is exercised within annual cash limits unless the Authority agrees otherwise.
  - b. Each SLT officer has available timely information on receipts and payments on each budget which is sufficiently detailed to enable managers to fulfil their budgetary responsibilities.
  - c. Expenditure is committed only against an approved budget head.
  - d. All officers responsible for committing expenditure comply with relevant guidance, Contract Standing Orders and the Financial Regulations.
  - e. Each cost centre has a single named manager, determined by the relevant SLT officer. As a general principle, budget responsibility should be aligned as closely as possible to the decision-making processes that commits expenditure.
  - f. Significant variances from approved budgets are investigated and reported by budget managers regularly.
- 2.18 To administer the Authority's scheme of virement.
- 2.19 To submit reports to the Authority, in consultation with the relevant SLT officer, where an SLT officer is unable to balance expenditure and resources within existing approved budgets under his or her control.
- 2.20 To prepare and submit reports on the Authority's projected income and expenditure compared with the budget on a regular basis.

## Responsibilities of SLT Officers

- 2.21 To maintain budgetary control within their department, in adherence to the principles in 2.17, and to ensure that all income and expenditure are properly recorded and accounted for.
- 2.22 To ensure that an accountable budget manager is identified for each item of income and expenditure under the control of the SLT officer (grouped together in a series of cost centres). As a general principle, budget responsibility should be aligned as closely as possible to the decision-making that commits expenditure.
- 2.23 To ensure that spending remains within the Service's overall cash limit, and that individual budget heads are not overspent, by monitoring the budget and taking appropriate corrective action where significant variations from the approved budget are forecast.
- 2.24 To ensure that a monitoring process is in place to review performance levels/levels of service in conjunction with the budget and is operating effectively.
- 2.25 To prepare and submit to the Authority reports on projected expenditure compared with its budget, in consultation with the Director of Finance and Procurement.
- 2.26 To ensure prior approval by the Authority for new proposals<sup>2</sup> of whatever amount, that:
  - a. Create financial commitments in future years.
  - b. Change existing policies, initiate new policies or cease existing policies.
  - c. Materially extend or reduce the Authority's services.
- 2.27 To ensure compliance with the scheme of virement.
- 2.28 To agree with the relevant SLT officer where it appears that a budget proposal, including a virement proposal, may impact materially on another service area or SLT officer's level of service activity.

## Budgets and Medium-Term Planning

Why is this important?

- 2.29 The Authority is a complex organisation responsible for delivering a wide variety of services. It needs to plan effectively and to develop systems to enable scarce resources to be allocated in accordance with carefully weighed priorities. The budget is the financial expression of the Authority's plans and policies.
- 2.30 The revenue budget must be constructed so as to ensure that resource allocation properly reflects the service plans and priorities of the Authority. Budgets (spending plans) are needed so that the Authority can plan, authorise, monitor and

---

<sup>2</sup> A report on the new proposals should explain the full financial implications, following consultation with the Director of Finance and Procurement, unless the Authority has agreed otherwise, SLT officers must plan to contain the financial implications within their cash limit.

control the way money is allocated and spent. It is illegal for an Authority to budget for a deficit.

- 2.31 Medium-term planning (the Authority has adopted a five-year planning system) involves a planning cycle in which managers develop their own plans. As each year passes, another future year will be added to the medium-term plan. This ensures that the Authority is always preparing for events in advance.

#### Key Controls

- 2.32 The key controls for budgets and medium-term planning are:
- a. Specific budget approval for all expenditure.
  - b. Budget managers are consulted in the preparation of the budgets for which they will be held responsible and accept accountability within delegations set by the Authority for their budgets and the level of service to be delivered.
  - c. A monitoring process is in place to review regularly the effectiveness and operation of budget preparation and to ensure that any corrective action is taken.

#### Responsibilities of the Director of Finance and Procurement

- 2.33 To prepare and submit reports on budget prospects for the executive, including resource constraints set by the Government. Reports should take account of medium-term prospects, where appropriate.
- 2.34 To determine the detailed form of revenue estimates and the methods for their preparation, consistent with the budget approved by the Authority, and after consultation with SLT officers.
- 2.35 To prepare and submit reports to the Authority on the aggregate spending plans of departments and on the resources available to fund them, identifying, where appropriate, the implications for the level of council tax to be levied.
- 2.36 To advise on the medium-term implications of spending decisions.
- 2.37 To encourage the best use of resources and value for money by working with SLT officers to identify opportunities to improve economy, efficiency and effectiveness, and by encouraging good practice in conducting financial appraisals of development or savings options, and in developing financial aspects of service planning.
- 2.38 To advise the Authority on proposals in accordance with his or her responsibilities under section 73 of the Local Government Act 1985.

#### Responsibilities of SLT Officers

- 2.39 To prepare estimates of income and expenditure, in consultation with the Director of Finance and Procurement, to be submitted to the Authority.
- 2.40 To prepare budgets that are consistent with any relevant cash limits, with the Authority's annual budget cycle and with guidelines issued by the Authority. The



format should be prescribed by the Director of Finance and Procurement in accordance with the Authority's general directions.

- 2.41 To integrate financial and budget plans into service planning, so that budget plans can be supported by financial and non-financial performance measures.
- 2.42 In consultation with the Director of Finance and Procurement and in accordance with the laid-down guidance and timetable, to prepare detailed draft revenue and capital budgets for consideration by the appropriate committee or sub-committee.
- 2.43 When drawing up draft budget requirements, to have regard to:
  - a. Spending patterns and pressures revealed through the budget monitoring process.
  - b. Legal requirements.
  - c. Policy requirements as defined by the Authority in the approved policy framework.
  - d. Initiatives already under way.

## Resource Allocation

Why is it important?

- 2.44 A mismatch often exists between available resources and required resources. A common scenario is that available resources are not adequate to fulfil need/desire. It is therefore imperative that needs/desires are carefully prioritised and that resources are fairly allocated, in order to fulfil all legal responsibilities. Resources may include staff, money, equipment, goods and materials.

Key Controls

- 2.45 The key controls for resource allocation are:
  - a. Resources are acquired in accordance with the law and using an approved authorisation process.
  - b. Resources are used only for the purpose intended, to achieve the approved policies and objectives, and are properly account for.
  - c. Resources are securely held for use when required.
  - d. Resources are used with the minimum level of waste, inefficiency or loss for other reasons.

## Responsibilities of the Director of Finance and Procurement

- 2.46 To advise on methods available for the funding of resources, such as grants from central government and borrowing requirements.
- 2.47 To assist in the allocation of resources to budget managers.

## Responsibilities of SLT Officers

- 2.48 To work within budget limited and to utilise resources allocated, and further allocate resources, in the most efficient, effective and economic way.
- 2.49 To identify opportunities to minimise or eliminate resource requirements or consumption without having a detrimental effect on service delivery.

## Capital Programmes

### Why is this important?

- 2.50 Capital expenditure involves acquiring or enhancing fixed assets with a long-term value to the Authority, such as land, buildings, and major items of plant, equipment or vehicles. Capital assets shape the way services are delivered in the long term and create financial commitments for the future in the form of financing costs and revenue running costs.
- 2.51 The Government places strict controls on the financing capacity of the Authority. This means that capital expenditure should form part of an investment strategy and should be carefully prioritised in order to maximise the benefit of scarce resources.

### Key Controls

- 2.52 The key controls for capital programmes are:
  - a. Specific approval by the Authority for the programme of capital expenditure.
  - b. Expenditure on capital schemes is subject to the approval of the Director of Finance and Procurement.
  - c. A scheme and estimate, including project plan, progress targets and associated revenue expenditure is prepared for each major (greater than £100,000) capital project, for approval by the Authority.
  - d. Approval by the Authority where capital schemes are to be financed from the revenue budget.
  - e. Proposals for improvements and alterations to buildings must be approved by the appropriate SLT Officer.
  - f. Schedules for individual schemes within the overall budget approved by the Authority must be submitted to the Authority for approval (for example, minor works), or under other arrangements approved by the Authority.
  - g. The development and implementation of asset management plans.
  - h. Accountability for each proposal is accepted by a named manager.
  - i. Monitoring of progress in conjunction with expenditure and comparison with approved budget.

## Responsibilities of the Director of Finance and Procurement

- 2.53 To prepare capital estimates jointly with SLT officers and to report them to the Authority for approval. The Authority recommendations on the capital estimates and on any associated financing requirements to the Authority. Authority approval is required where an SLT officer proposes to bid or exercise additional borrowing approval not anticipated in the capital programme. This is because the extra borrowing may create future commitments to financing costs.
- 2.54 To prepare and submit reports to the executive on the projected income, expenditure and resources compared with the approved estimates.
- 2.55 To issue guidance concerning capital schemes and controls, for example, on project appraisal techniques. The definition of 'capital' will be determined by the Director of Finance and Procurement, having regard to Government regulations and accounting requirements.
- 2.56 To provide advice to allow responsible officers to obtain authorisation from the Authority for individual schemes where the estimated expenditure exceeds the capital programme provision.

## Responsibilities of SLT Officers

- 2.57 To comply with guidance concerning schemes and controls issued by the Director of Finance and Procurement.
- 2.58 To ensure that all capital proposals have undergone a project appraisal in accordance with guidance issued by the Director of Finance and Procurement.
- 2.59 To prepare regular reports reviewing the capital programme provisions for their services. They should also prepare a quarterly return of estimated final costs of schemes in the approved capital programme for submission to the Director of Finance and Procurement.
- 2.60 To ensure that adequate records are maintained for all capital contracts.
- 2.61 To proceed with projects only when there is adequate provision in the capital programme and with the agreement of the Director of Finance and Procurement, where required.
- 2.62 To prepare and submit reports, jointly with the Director of Finance and Procurement, to the Authority, of any variation in contract costs greater than the approved limits. SLT officers may meet cost increases of up to 10% by virement from savings elsewhere within their capital programme.
- 2.63 To prepare and submit reports, jointly with the Director of Finance and Procurement, to the Authority, on completion of all contracts where the final expenditure exceeds the approved contract sum by more than the specified amount.
- 2.64 To ensure that credit arrangements, such as leasing agreements, are not entered into without the prior approval of the Director of Finance and Procurement and, if applicable, approval of the scheme through the capital programme.

- 2.65 To consult with the Director of Procurement and Finance and to seek Authority approval where the SLT officer proposes to bid for additional supported borrowing approvals or grant from Government departments to support expenditure that has not been included in the current year's capital programme.

## Maintenance of Reserves

### Why is this important?

- 2.66 The Authority must decide the level of general reserves it wishes to maintain before it can decide the level of council tax. Reserves are maintained as a matter of prudence. They enable the Authority to provide for unexpected events and thereby protect it from overspending, should such events occur. Reserves for specific purposes may also be maintained, such as the purchase or renewal of capital items.

### Key Controls

- 2.67 To maintain reserves in accordance with the *Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice* (CIPFA/LASAAC) and agreed accounting policies.
- 2.68 For each reserve established, the purpose, usage and basis of transactions should be clearly identified.
- 2.69 Authorisation and expenditure from reserves by the appropriate SLT officer in consultation with the Director of Finance and Procurement.

## Responsibilities of the Director of Finance and Procurement

- 2.70 To advise the Authority on prudent levels of reserves for the Authority, and to take account of the advice of the external auditor in this matter.

## Responsibilities of SLT Officer

- 2.71 To ensure that resources are used only for the purposes for which they were intended.

## Appendix C – Risk Management and Control of Resources

### Risk Management

#### Why is this important?

- 3.01 All organisations, whether private or public sector, face risks to people, property and continued operations. Risk is the chance or possibility of loss, damage, injury or failure to achieve objectives caused by an unwanted or uncertain action or event. Risk management is the planned and systematic approach to identification, evaluation and control of risk. Its objectives are to secure the assets of the organisation and to ensure the continued financial and organisational well-being of the organisation. In essence it is, therefore, an integral part of good business practice. Risk management is concerned with evaluating the measures an organisation already has in place to manage identified risks and then effectively.
- 3.02 It is the overall responsibility of the Authority to approve the risk management and business continuity strategy, and to promote a culture of risk and business continuity management awareness throughout the Authority.

#### Key Controls

- 3.03 The key controls for risk management are:
- a. Procedures are in place to identify, assess, prevent or contain material known risks, and these procedures are operating effectively throughout the Authority.
  - b. A monitoring process is in place to review regularly the effectiveness of risk reduction strategies and the operation of these controls. The risk management process should be conducted on a continuing basis.
  - c. Managers know that they are responsible for managing relevant risks and are provided with relevant information on risk management initiatives.
  - d. Provision is made for losses that might result from the risks that remain.
  - e. Procedures are in place to investigate claims within required timescales.
  - f. Acceptable levels of risk are determined and insured against where appropriate.
  - g. The Authority has identified business continuity plans or implementation in the event of disaster that results in significant loss or damage to its resources.
  - h. Procedure are in place to identify, assess, prevent or contain known business continuity issues, and these procedures are operating effectively throughout the Authority.

- i. A monitoring process is in place to review regularly the effectiveness of business continuity strategies and the operation of these controls. The business continuity management process should be conducted on a continuing basis.
- j. Managers know that they are responsible for managing relevant business continuity plans and are provided with relevant information on business continuity management initiatives.
- k. Acceptable levels of contingency are determined and insured against where appropriate.

### Responsibilities of the Deputy Chief Fire Officer

- 3.04 To assist in the preparation of and promote the Authority's risk and business continuity management policy statement.
- 3.05 To develop risk and business continuity management.
- 3.06 To develop risk and business continuity management controls in conjunction with other SLT officers.
- 3.07 To consult with the Monitoring Officer on appropriate levels of insurance.

### Responsibilities of the Monitoring Officer

- 3.08 To include all appropriate employees of the Authority in a suitable fidelity guarantee insurance.
- 3.09 To (in consultation with the Director of Finance and Procurement) effect corporate insurance cover, through external insurance and internal funding, and to negotiate all claims in consultation with other officers, where necessary.

### Responsibilities of SLT Officers

- 3.10 To notify the Director of Finance and Procurement and the Monitoring Officer immediately of any loss, liability or damage that may lead to a claim against the Authority, together with any information or explanation required by those officers or the Authority's insurers.
- 3.11 To take responsibility for risk management, having regard to advice from the Monitoring Officer, Director of Finance and Procurement and other specialist officers (e.g., crime prevention, fire prevention, health safety).
- 3.12 To ensure that there are regular reviews of risk within their departments.
- 3.13 To notify the Director of Finance and Procurement and Monitoring Officer promptly of all new risks, properties or vehicles that require insurance and of any alterations affecting existing insurances.

- 3.14 To consult the Director of Finance and Procurement and the Monitoring Officer on the terms of any indemnity that the Authority is requested to give.
- 3.15 To ensure that employees, or anyone covered by the Authority's insurances, do not admit liability or make any offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim.

#### Internal Controls

- 3.16 The Authority is complex and beyond the direct control of individuals. It therefore requires internal controls to manage and monitor progress towards strategic objectives.
- 3.17 The Authority has statutory obligations, and, therefore, requires internal controls to identify, meet and monitor compliance with these obligations.
- 3.18 The Authority faces a wide range of financial, administrative and commercial risks, both from internal and external factors, which threaten the achievement of its objectives. Internal controls are necessary to manage these risks.
- 3.19 The system of internal controls is established in order to provide measurable achievement of:
  - a. Efficient and effective operations.
  - b. Reliable financial information and reporting.
  - c. Compliance with laws and regulations.
  - d. Risk management.

#### Key Controls

- 3.20 The key controls control objectives for internal control systems are:
  - a. Key controls should be reviewed on a regular basis and the Authority should make a formal statement annually to the effect that it is satisfied that the system of internal control are operating effectively.
  - b. Managerial control systems, including defining policies, setting objectives and plans, monitoring financial and other performance and taking appropriate anticipatory and remedial action. The key objective of these systems is to promote ownership of the control environment by defining roles and responsibilities.
  - c. Financial and operational control systems and procedures, which include physical safeguards for assets, segregation of duties, authorisation and approval procedures and information systems.

- d. An effective internal audit function that is properly resourced. It should operate in accordance with the principles contained in the Auditing Practices Board's auditing guidelines Guidance for Internal Auditors, CIPFA's Code of Practice for Internal Audit in Local Government in the United Kingdom and with any other statutory obligations and regulations.

## Responsibilities of the Director of Finance and Procurement

- 3.21 To assist the Authority to put in place an appropriate control environment and effective internal controls which provide reasonable assurance of effective and efficient operations, financial stewardship, probity and compliance with laws and regulations.

## Responsibilities of SLT Officers

- 3.22 To manage processes to check that established controls are being adhered to and to evaluate their effectiveness, in order to be confident in the proper use of resources, achievement of objectives and management of risks.
- 3.23 To review existing controls in the light of changes affecting the Authority and to establish and implement new ones in line with guidance from the Director of Finance and Procurement. SLT officers should also be responsible for removing controls that are unnecessary or not cost or risk effective – for example because of duplication.
- 3.24 To ensure staff have clear understanding of the consequences of lack of control.

## Audit Requirements

### Internal Audit

#### Why is this important?

- 3.25 The requirement for an internal audit function for local authorities is implied by section 151 of the Local Government Act 1972, which requires that authorities “make arrangements for the proper administration of their financial affairs”. The Accounts and Audit Regulations 2015, more specifically require that a “relevant body shall maintain an adequate and effective system of internal audit of their accounting records and control systems”.
- 3.26 Accordingly, internal audit is an independent and objective appraisal function established by the Authority for reviewing the system of internal control. It examines, evaluates and reports on the adequacy of internal control as a condition to the proper, economic, efficient and effective use of resources.

#### Key Controls

- 3.27 The key controls for internal audit are:



- a. That it is independent in its planning and operation.
- b. The internal audit service has direct access to the Chief Fire Officer, all levels of management and directly to elected members.
- c. The internal auditors comply with the Auditing Practices Board's guideline *Guidance for Internal Auditors*, as interpreted by CIPFA's *Code of Practice for Internal Audit in Local Government in the United Kingdom*.

## Responsibilities of the Director of Finance and Procurement

- 3.28 To ensure that internal auditors have the authority to:
- a. Access Authority premises at reasonable times.
  - b. Access all assets, records, documents, correspondence and control systems.
  - c. Receive any information and explanation considered necessary concerning any matter under consideration.
  - d. Require any employee of the Authority to account for cash, stores or any other Authority asset under his or her control.
  - e. Access records belonging to third parties, such as contractors, when required.
  - f. Directly access the Chief Fire Officer, the Authority and its members.
- 3.29 To submit for approval the strategic and annual audit plans, which take account of the characteristics and relative risks of the activities involved.
- 3.30 To ensure that effective procedures are in place to investigate promptly any fraud or irregularity.

## Responsibilities of SLT Officers

- 3.31 To ensure that internal auditors are given access at all reasonable times to premises, personnel, documents and assets that the auditors consider necessary for the purposes of their work.
- 3.32 To ensure that auditors are provided with any information and explanations that they seek in the course of their work.
- 3.33 To consider and respond promptly to recommendations in audit reports.
- 3.34 To ensure that any agreed actions arising from audit recommendations are carried out in a timely and efficient fashion.

- 3.35 To notify the Director of Finance and Procurement and Monitoring Officer immediately of any suspected fraud, theft, irregularity, improper use or misappropriation of the Authority's property or resources. Pending investigation and reporting, the SLT officer should take all necessary steps to prevent further loss and to secure records and documentation against removal or alteration.
- 3.36 To ensure the new systems for maintaining financial records, or records of assets, or changes to such systems, are discussed with and agreed by the head of internal audit prior to implementation.

## External Audit

### Why is this important?

- 3.37 The Local Government Finance Act 1982 set up the Audit Commission, which is responsible for appointing external auditors to each local authority in England and Wales. Local Government Association (Public Sector Audit Appointments Limited) will be responsible for overseeing the Commission's current external audit contracts with audit firms from 1 April 2015 until December 2017 or up to 2021. The external auditor has rights of access to all documents and information necessary for audit purposes.
- 3.38 The basic duties of the external auditor are defined in the Audit Commission Act 1998 and the Local Government Act 1999. In particular, section 4 of the 1998 Act requires a code of audit practice, which external auditors follow when carrying out their duties. The code of audit practice issued in March 2000 sets out the auditor's objectives to review and report upon:
- a. The financial aspects of the audited body's corporate governance arrangements.
  - b. The audited body's financial statements.
- 3.39 The Authority's accounts are scrutinised by external auditors, who must be satisfied that the statement of accounts 'presents fairly' the financial position of the Authority and its income and expenditure for the year in question and complies with the legal requirements.

### Key Controls

- 3.40 External auditors are appointed normally for a minimum period of five years.

## Responsibilities of the Director of Finance and Procurement

- 3.41 To ensure that external auditors are given access at all reasonable times to premises, personnel, documents and assets that the external auditors consider necessary for purposes of their work.

- 3.42 To ensure there is effective liaison between external and internal audit.
- 3.43 To work with the external auditor and advise the Authority and SLT officers on their responsibilities in relation to external audit.

## Responsibilities of SLT Officers

- 3.44 To ensure that external auditors are given access at all reasonable times to premises, personnel, documents and assets which the external auditors consider necessary for the purposes of their work.
- 3.45 To ensure that all records and systems are up-to-date and available for inspection.

## Preventing Fraud and Corruption

### Why is this important?

- 3.46 The Authority will not tolerate fraud and corruption in the administration of its responsibilities, whether from inside or outside the Authority.
- 3.47 The Authority's expectation of propriety and accountability is that members and staff at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures and practices.
- 3.48 The Authority also expects that individuals and organisations (e.g., suppliers, contractors, service providers) with whom it comes into contact will act towards the Authority with integrity and without thought or actions involving fraud and corruption.

### Key Controls

- 3.49 The key controls regarding the prevention of financial irregularities are that:
  - a. The Authority has an effective anti-fraud and anti-corruption policy and maintains a culture that will not tolerate fraud or corruption.
  - b. All members and staff act with integrity and lead by example.
  - c. Senior managers are required to deal swiftly and firmly with those who defraud or attempt to defraud the Authority or who are corrupt.
  - d. High standards of conduct are promoted amongst members.
  - e. The maintenance of a register of interests in which any hospitality or gifts accepted must be recorded.
  - f. Whistle blowing procedure are in place and operate effectively.
  - g. Legislation including the Public Interest Disclosure Act 1998 is adhered to.

## Responsibilities of the Director of Finance and Procurement

- 3.50 To assist the Monitoring Officer to develop and maintain an anti-fraud and anti-corruption policy.
- 3.51 To maintain adequate and effective internal control arrangements.
- 3.52 To ensure that all suspected irregularities are reported to the Head of Internal Audit, the Chief Fire Officer, the Monitoring Officer and the Authority as appropriate.

## Responsibilities of SLT Officers

- 3.53 To ensure that all suspected irregularities are reported to the Director of Finance and Procurement and the Monitoring Officer.
- 3.54 To instigate the Authority's disciplinary procedures where the outcome of an audit investigation indicates improper behaviour.
- 3.55 To ensure that where financial impropriety is discovered, the Director of Finance and Procurement is informed, and, in consultation with the Head of Internal Audit, where sufficient evidence exists to believe that a criminal offence may have been committed, the police are called in to determine with the Crown Prosecution Service whether any prosecution will take place.
- 3.56 To ensure that the register of interests is kept up-to-date.

## Assets

### Security

#### Why is this important?

- 3.57 The Authority holds assets in the form of property, vehicles, equipment, furniture and other items worth many millions of pounds. It is important that assets are safeguarded and used efficiently in service delivery, and that there are arrangements for the security of both assets and information required for service operations. An up-to-date asset register is a prerequisite for proper fixed asset accounting and sound asset management.

#### Key Controls

- 3.58 The key controls for the security of resources such as land, buildings, fixed plant machinery, equipment, software and information are:
  - a. Resources are used only for the purposes of the Authority and are properly accounted for.
  - b. Resources are available for use when required.
  - c. Resources no longer required are disposed of in accordance with the law and the regulations of the Authority so as to maximise benefits.

- d. An asset register is maintained for the Authority, assets are recorded when they are acquired by the Authority and this record is updated as changes occur with respect to the location and condition of the asset.
- e. All staff are aware of their responsibilities with regard to safeguarding the Authority's assets and information, including the requirements of the Data Protection Act and software copyright legislation.
- f. All staff are aware of their responsibilities with regard to safeguarding the security of the Authority's computer systems, including maintaining restricted access to the information held on them and compliance with the Authority's computer and internet security policies.

## Responsibilities of the Director of Finance and Procurement

- 3.59 To ensure that an asset register is maintained in accordance with good practice for all fixed assets with a value in excess of £5,000. The function of the asset register is to provide the Authority with information about fixed assets so that they are:
  - a. Safeguarded.
  - b. Used efficiently and effectively.
  - c. Adequately maintained.
- 3.60 To receive the information required for accounting, costing and financial records from each SLT officer.
- 3.61 To ensure that assets are valued in accordance with the *Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice* (CIPFA/LASAAC).

## Responsibilities of SLT Officers

- 3.62 The appropriate SLT officer shall maintain a property database in a form approved by the Director of Finance and Procurement for all properties, plant and machinery and moveable assets currently owned or used by the Authority. Any use of property by a department or establishment other than for direct service delivery should be supported by documentation identifying terms, responsibilities and duration of use.
- 3.63 To ensure that lessees and other prospective occupiers of Authority land are not allowed to take possession or enter the land until a lease or agreement, in a form approved by the SLT officer in consultation with the Director of Finance and Procurement and Monitoring Officer, has been established as appropriate.
- 3.64 To ensure the proper security of all buildings and other assets under their control.
- 3.65 Where land or buildings are surplus to requirements, a recommendation for sale should be the subject of a joint report by the SLT officer and the Director of Finance and Procurement.
- 3.66 To pass title deeds to the Monitoring Officer who is responsible for custody of all title deeds.

- 3.67 To ensure that no Authority asset is subject to personal use by an employee without proper authority.
- 3.68 To ensure the safe custody of vehicles, equipment, furniture, stock, stores and other property belonging to the Authority.
- 3.69 To ensure that the department maintains a register of moveable assets in accordance with arrangements defined by the Director of Finance and Procurement.
- 3.70 To ensure that assets are identified, their location recorded and that they are appropriately marked and insured.
- 3.71 To consult the Director of Finance and Procurement in any case where security is thought to be defective or where it is considered that special security arrangements may be needed.
- 3.72 To ensure cash holdings on premises are kept to a minimum.
- 3.73 To ensure that keys to safes and similar receptacles are carried on the person of those responsible at all times; loss of any such keys must be reported to the Director of Finance and Procurement as soon as possible.
- 3.74 To record all disposal of part exchange of assets that should normally be by competitive tender or public auction, unless consultation with the Director of Finance and Procurement, SLT agrees otherwise.
- 3.75 To arrange for the valuation of assets for accounting purposes to meet requirements specified by the Director of Finance and Procurement.
- 3.76 To ensure that all employees are aware that they have a personal responsibility with regard to the protection and confidentiality of information, whether held in manual or computerised records. Information may be sensitive or privileged, or may possess some intrinsic value, and its disclosure or loss could result in a cost to the Authority in some way.

## Inventories – Responsibilities of SLT Officers

- 3.77 To maintain inventories and record an adequate description of furniture, fittings, equipment, plant and machinery valued at £500 or more.
- 3.78 To carry out an annual check of all items on the inventory in order to verify location, review, condition and to take action in relation to surpluses or deficiencies, annotating the inventory accordingly. Attractive and portable items such as computers, cameras and video recorders should be identified with security markings as belonging to the Authority.
- 3.79 To make sure that property is only used in the course of the Authority's business, unless the SLT officer concerned has given permission otherwise.

## Stocks and Stores – Responsibilities of SLT Officers

- 3.80 To make arrangements for the care and custody of stocks and stores in the department.
- 3.81 To ensure stocks are maintained at reasonable levels and are subject to a regular independent physical check. All discrepancies should be investigated and pursued to a satisfactory conclusion.
- 3.82 To investigate and seek approval to remove from the Authority's records Authority approval if they are in excess of £5,000.
- 3.83 To authorise or write off disposal of redundant stocks and equipment (following approval by the Director of Finance and Procurement). Procedures for disposal of such stocks and equipment should be by competitive quotations or auction, unless, following consultation with the Director of Finance and Procurement, the officer decides otherwise in a particular case.
- 3.84 To seek the approval of the Authority to the write-off of redundant stocks and equipment in excess of £5,000.

## Intellectual Property

### Why is this important?

- 3.85 Intellectual property is a generic term that includes inventions and writing. If these are created by the employee during the course of employment, then, as a general rule, they belong to the employer, not the employee. Various Acts of Parliament cover different types of intellectual property.
- 3.86 Certain activities undertaken within the Authority may give rise to items that may be patentable, for example, software development. These items are collectively known as intellectual property.

### Key Controls

- 3.87 In the event that the Authority decides to become involved in the commercial exploitation of inventions, the matter should proceed in accordance with the Authority's approved intellectual property procedures. Guidance may be sought from the Head of Procurement.

## Responsibilities of SLT Officers

- 3.88 To ensure that controls are in place to ensure that staff do not carry out private work in Authority time and that staff are aware of an employer's rights with regard to intellectual property.
- 3.89 To develop and disseminate good practice through the Authority's intellectual property procedures.

## Asset Disposal

### Why is this important?

- 3.90 It would be uneconomic and inefficient for the cost of assets to outweigh their benefits. Obsolete, non-repairable or unnecessary resources should be disposed of in accordance with the law and the regulations of the Authority.
- 3.91 Assets for disposal are identified and are disposed of at the most appropriate time, and only when it is in the best interests of the Authority, and best price is obtained, bearing in mind other factors, such as environmental issues. For items of significant value, disposal should be by competitive tender or public auction.
- 3.92 Procedures protect staff involved in the disposal from accusations of personal gain.

## Responsibilities of the Director of Finance and Procurement

- 3.93 To issue guidelines representing best practice for disposal of assets.
- 3.94 To ensure appropriate accounting entries are made to remove the value of disposed assets from the Authority's records and to include the sale proceeds if appropriate.

## Responsibilities of SLT Officers

- 3.95 To seek advice from purchasing advisors on the disposal of surplus or obsolete materials, stores or equipment.
- 3.96 To ensure that income received for the disposal of an asset passed to the Finance Department to be properly banked and coded.

## Treasury Management

### Why is this important?

- 3.97 Many millions of pounds pass through the Authority's books each year. This led to the establishment of codes of practice. These aim to provide assurances that the Authority's money is properly managed in a way that balances risk with return, but with the overriding consideration being given to the security of the Authority's capital sum.

### Key Controls

- 3.98 That the Authority's borrowings and investments comply with the CIPFA *Code of Practice on Treasury Management* and with the Authority's treasury policy statement.



## Responsibilities of Director of Finance and Procurement – Treasury Management and Banking

- 3.99 To arrange the borrowing and investments of the Authority in such a manner as to comply with the *CIPFA Code of Practice on Treasury Management* and the Authority's treasury management policy statement and strategy.
- 3.100 To report, as a minimum, an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close, in the form prescribed in the Authority's TMPs.
- 3.101 To operate bank accounts as are considered necessary – opening or closing any bank account shall require the approval of the Director of Finance and Procurement. All arrangements for the opening of bank accounts in the name of the Authority and for the ordering and issue of cheques shall be made by the Director of Finance and Procurement. All cheques drawn on behalf of the Authority shall be signed by the Director of Finance and Procurement or by such officers as may be nominated by him for that purpose. Any indemnity required by the Authority's bankers regarding the signature of cheques by a computer or mechanical means, or where the services of a security firm are used for the deposit or receipt of cash at the bank shall be given by the Director of Finance and Procurement on behalf of the Authority.

## Responsibilities of SLT Officers – Treasury Management and Banking

- 3.102 To follow the instructions on banking issued by the Director of Finance and Procurement.

## Responsibilities of The Director of Finance and Procurement – Investments and Borrowing

- 3.103 To ensure that all investments of money are made in the name of the Authority or in the name of nominees approved by the Authority.
- 3.104 To ensure that all securities that are the property of the Authority or its nominees and the title deeds of all property in the Authority's ownership are held in the custody of the appropriate SLT officer.
- 3.105 To effect all borrowings in the name of the Authority.
- 3.106 To act as the Authority's registrar of stocks, bonds and mortgages and to maintain records of all borrowing of money by the Authority.

## Responsibilities of SLT Officers – Investments and Borrowing

- 3.107 To ensure that loans are not made to third parties and that interests are not acquired in companies, joint ventures or other enterprises without the approval of the Authority, following consultation with the Director of Finance and Procurement

## Responsibilities of SLT Officers – Trust Funds and Funds held for Third Parties

- 3.108 To arrange for all trust funds to be held, wherever possible, in the name of the Authority. All officers acting as trustees by virtue of their official position shall deposit securities etc., relating to the trust, with the Director of Finance and Procurement, unless the deed otherwise provides.
- 3.109 To arrange, where funds are held on behalf of third parties, for their secure administration, approved by the Director of Finance and Procurement, and to maintain written records of all transactions.
- 3.110 To ensure that trust funds are operated within any relevant legislation and the specific requirements for each trust.

## Staffing

Why is this important?

- 3.111 In order to provide the highest level of service, it is crucial that the Authority recruits and retains high calibre, knowledgeable staff, qualified to an appropriate level.

## Key Controls

- 3.112 The key controls for staffing are:
  - a. An appropriate staffing strategy and policy exists, in which staffing requirements and budget allocation are matched.
  - b. Procedures are in place for forecasting staffing requirements and cost.
  - c. Controls are implemented that ensure that staff time is used efficiently and to the benefit of the Authority.
  - d. Checks are undertaken prior to employing new staff to ensure that they are appropriately qualified, experienced and trustworthy.

## Responsibilities of the Director of Finance and Procurement

- 3.113 To ensure that budget provision exists for all existing and new employees.
- 3.114 To act as an advisor to SLT officers on areas such as National Insurance and pension contributions, as appropriate.

## Responsibilities of SLT Officers

- 3.115 To produce an annual staffing budget.
- 3.116 To ensure that the staffing budget is an accurate forecast of staffing levels and is equated to an appropriate revenue budget provision (including on-costs and overheads).
- 3.117 To monitor staff activity to ensure adequate control over such costs as sickness, overtime, training and temporary staff.
- 3.118 To ensure that the staffing budget is not exceeded without due Authority and that it is managed to enable the agreed level of service to be provided.
- 3.119 To ensure that the Deputy Chief Fire Officer and the Director of Finance and Procurement are immediately informed if the staffing budget is likely to be materially over – or underspent.

## Appendix D – Financial Systems and Procedures

### General

Why is this important?

- 4.01 Departments have many systems and procedures relating to the control of the Authority's assets, including purchasing, costing and management systems. Departments are increasingly reliant on computers for their financial management information. The information must therefore be accurate and the systems and procedures sound and well administered. They should contain controls to ensure that transactions are properly processed and errors detected promptly.
- 4.02 The has a professional responsibility to ensure that the Authority's financial systems are sound and should therefore be notified of any new developments or changes.

### Key Controls

The key controls for systems and procedures are:

- a. Basic data exists to enable the Authority's objectives, targets, budgets and plans to be formulated.
- b. Performance is communicated to the appropriate managers on an accurate, complete and timely basis.
- c. Early warning is provided of deviations from target, plans and budgets that require management attention.
- d. Operating systems and procedures are secure.

### Responsibilities of the Director of Finance and Procurement

- 4.03 To make arrangements for the proper administration of the Authority's financial affairs, including to:
- a. Issue advice, guidance and procedures for officers and others acting on the Authority's behalf.
  - b. Determine the accounting systems, form of accounts and supporting financial records.
  - c. Establish arrangements for audit of the Authority's financial affairs.
  - d. Approve any new financial systems to be introduced.
  - e. Approve any changes to be made to existing financial systems.

## Responsibilities of SLT Officers

- 4.04 To ensure that accounting records are properly maintained and held securely.
- 4.05 To ensure that vouchers and documents with financial implications are not destroyed, except in accordance with arrangements approved by the Director of Finance and Procurement.
- 4.06 To ensure that a complete management trail, allowing financial transactions to be traced from the accounting records to the original document, and vice versa, is maintained.
- 4.07 To incorporate appropriate controls to ensure that, where relevant:
  - a. All input is genuine, complete, accurate, timely and not previously processed.
  - b. All processing is carried out in an accurate, complete and timely manner.
  - c. Output from the system is complete, accurate and timely.
- 4.08 To ensure that the organisational structure provides an appropriate segregation of duties to provide adequate internal controls and to minimise the risk of fraud or other malpractice.
- 4.09 To ensure there is a documented and tested disaster recovery plan to allow information system processing to resume quickly in the event of an interruption.
- 4.10 To ensure that systems are documented and staff trained in operations.
- 4.11 To consult with the Director of Finance and Procurement before changing any existing system or introducing new systems.
- 4.12 To establish a scheme of delegation identifying officers authorised to act upon the SLT officer's behalf in respect of payments, income collection and placing orders, including variations, and showing the limits of their authority.
- 4.13 To supply lists of authorised officers, with specimen signatures and delegated limits, the Director of Finance and Procurement, together with any subsequent variations.
- 4.14 To ensure that effective contingency arrangements, including back-up procedures, exist for computer systems. Wherever possible, back-up information should be securely retained in a fireproof location, preferably off site or at an alternative location within the building.
- 4.15 To ensure that, where appropriate, computer systems are registered in accordance with data protection legislation and that staff are aware of their responsibilities under the legislation.
- 4.16 To ensure that relevant standards and guidelines for computer systems issued by the SLT officer are observed.

- 4.17 To ensure that computer equipment and software are protected from loss and damage through theft, vandalism etc.
- 4.18 To comply with the copyright, designs and patents legislation and, in particular, to ensure that:
- a. Only software legally acquired and installed by the Authority is used on its computers.
  - b. Staff are aware of legislative provisions.
  - c. In developing systems, due regard is given to the issue of intellectual property rights.

## Income and Expenditure

### Income

Why is this important?

- 4.19 Income can be a vulnerable asset and effective income collection systems are necessary to ensure that all income due is identified, collected, receipted and banked properly. It is preferable to obtain income in advance of supplying goods or services as this improves the Authority's cash flow and also avoids the time and cost of administering debts.

### Key Controls

- 4.20 The key controls for income are:
- a. All income due to the Authority is identified and charged correctly, in accordance with an approved charging policy, which is regularly reviewed.
  - b. All income is collected from the correct person, at the right time, using the correct procedures and the appropriate stationery.
  - c. All money received by an employee on behalf of the Authority is paid without delay to the Director of Finance and Procurement or, as he or she directs, to the Authority's bank account, and properly recorded. The responsibility for cash collection should be separated from that:
    - I. For identifying the amount due.
    - II. For reconciling the amount due to the amount received.
  - d. Effective action is taken to pursue non-payment within defined timescales.
  - e. Formal approval for debt write-off is obtained.
  - f. Appropriate write-off action is taken within defined timescales.
  - g. Appropriate accounting adjustments are made following write-off action.
  - h. All appropriate income documents are retained and stored for the defined period in accordance with the document retention schedule.

- i. Money collected and deposited is reconciled to the bank account by a person who is not involved in the collection or banking process.

## Responsibilities of the Director of Finance and Procurement

- 4.21 To agree arrangements for the collection of all income due to the Authority and to approve the procedures, systems and documentation for its collection.
- 4.22 To order and supply to departments all receipt forms, books or tickets and similar items and to satisfy himself or herself regarding the arrangements for their control.
- 4.23 To agree the write-off of bad debts up to an approval limit in each case and to refer larger sums to the Authority.
- 4.24 To approve all debts to be written off in consultation with the relevant SLT officer and to keep a record of all sums written of up to the approved limit and to adhere to the requirements of the Accounts and Audit Regulations 2015.
- 4.25 To obtain the approval of the Authority in consultation with the relevant SLT officer for writing off debts in excess of the approved limited of £5,000 net.
- 4.26 To ensure that appropriate accounting adjustments are made following write-off action.

## Responsibilities of SLT Officer

- 4.27 To establish a charging policy purely on a cost recovery basis for the supply of goods or services, including the appropriate charging of VAT and to review it regularly, in line with corporate policies. The Commercial Training Manager shall have discretion to set the level of commercial training course fees in light of the cost recovery requirement but also in light of the market competitiveness of similar courses sold by other training providers subject to the agreement of any proposed charges by the Director of Finance and Procurement in order to avoid any possible "State Aid" challenges.
- 4.28 To separate the responsibility for identifying amounts due and the responsibility for collection, as far as is practicable.
- 4.29 To establish and initiate appropriate recovery procedures, including legal action where necessary, for debts that are not paid promptly.
- 4.30 To issue official receipts or to maintain other documentation for income collection.
- 4.31 To ensure that when post is opened that money received by post is properly identified and recorded.
- 4.32 To hold securely receipts, tickets and other records of income for the appropriate period.

- 4.33 To lock away all income to safeguard against loss or theft, and to ensure the security of cash handling.
- 4.34 To ensure that income is paid fully and promptly into the appropriate Authority bank account in the form in which it is received. Appropriate details should be recorded on to paying-in slips to provide an audit trail. Money collected and deposited must be reconciled to the bank account on a regular basis.
- 4.35 To supply the Director of Finance and Procurement with details relating to work done, goods supplied, services rendered or other amounts due, to enable the Director of Finance and Procurement to record correctly the sums due to the Authority and to ensure accounts are sent out promptly. The current approved process is outlined below:
- a. Where possible, arrangements should be made to secure prepayment for goods/services provided, particularly for pre-planned events such as Commercial Training Courses.
  - b. Where that is not possible, within thirty-five (35) days of goods/services being provided a properly completed Sales Invoice Request Form (SIRF) must be sent to the Finance Department.
  - c. After validating the SIRF a Sales Invoice will be generated and sent to the Customer by the Finance Department.
  - d. All customers will be allocated payment terms of up to a maximum 30 days. This term maybe reduced where appropriate to secure pre-payment in line with F4.35(a) or where mutually agreed. Consequently, all sales invoices are required to be paid within thirty (30) days of the invoice date (or lesser date where appropriate).
  - e. Any outstanding undisputed invoices will have a first written reminder sent out no more than three (3) working days after the payment due date for the customer's invoice.
  - f. If the invoice remains unpaid seven (7) days after the first reminder letter was issued a second reminder letter will be issued.
  - g. If the invoice remains unpaid it will then be referred to the Litigation Department (usually seven (7) days after the second reminder letter was sent out). The period between the second reminder and referral to the Litigation Department will be used to contact the debtor and hopefully resolve any issues preventing them from making payment. In circumstances where all parties are making reasonable and timely efforts to resolve the matter the referral period may exceed seven (7) days subject to the approval of the Director of Finance and Procurement.
  - h. Any action taken by Litigation will be recorded as appropriate against the customer invoice number.

SLT officers must ensure any offices raising SIRF requests assist the Director of Finance and Procurement in collecting debts that they have originated by providing any further information requested by the debtor, liaising directly with the customer where necessary and



actively pursuing the matter on the Authority's behalf.

- 4.36 To keep a record of every transfer of money between employees of the Authority. The receiving officer must sign for the transfer and the transferor must retain a copy. Levels of cash held on the premises must be minimised.
- 4.37 To recommend to the Director of Finance and Procurement all debts to be written off and to keep a record of all sums written off up to the approved limit. Once raised, no bona fide debt may be cancelled, except by full payment or by its formal writing off. A credit note to replace a debt can only be issued to correct a factual inaccuracy or administrative error in the calculation and/or billing of the original debt.
- 4.38 To obtain the approval of the Director of Finance and Procurement when writing off debts in excess of the approved limit, and the approval of the Authority where required.
- 4.39 To notify the Director of Finance and Procurement of outstanding income relating to the previous financial year as soon as possible after 31 March in line with the timetable determined by the Director of Finance and Procurement and not later than 30 April.

## Ordering and Paying for Work, Goods and Services

Why is this important?

- 4.40 Public money should be spent with demonstrable probity and in accordance with the Authority's policies. Authorities have a statutory duty to achieve best value in part through economy and efficiency. The Authority's procedures should help to ensure that services obtain value for money from their purchasing arrangements. These procedures should be read in conjunction with the Authority's Contract Standing Orders.

## General

- 4.41 Every officer and member of the Authority has a responsibility to declare any links or personal interests that they may have with purchasers, suppliers and/or contractors if they are engaged in contractual or purchasing decisions on behalf of the Authority, in accordance with appropriate codes of conduct.
- 4.42 Official orders must be in a form approved by the Director of Finance and Procurement. Official orders must be issued for all work, goods or services to be supplied to the Authority, except for supplies of utilities, periodic payments such as rent or rates, petty cash purchases or other exceptions specified by the Director of Finance and Procurement. **Telephone orders should not be placed in advance of the official order.** All suppliers must be provided with a unique Financial System (FMIS) generated official purchase order number other than the exceptions specified above.
- 4.43 Each order must confirm to the guidelines set by the Head of Procurement (in consultation with the Director of Finance and Procurement and Head of Legal &

Democratic Services). Standard terms and conditions must not be varied without the prior approval of the Head of Procurement.

4.44 The normal and preferred method of payment from the Authority shall be by automated electronic payments (BACS) drawn on the Authority's bank account or National Giro account by the Director of Finance and Procurement. The use of direct debit shall require the prior agreement of the Director of Finance and Procurement.

4.45 Official orders must not be raised for any personal or private purchases, nor must personal or private use be made of Authority contracts.

#### Key Controls

4.46 The key controls for ordering and paying for work, goods and services are:

- a. All goods and services are ordered only by appropriate persons and are correctly recorded.
- b. All suppliers must be provided with a unique pre-numbered Financial System (FMIS) generated official purchase order number other than the exceptions specified in 4.43.
- c. All goods and services shall be ordered in accordance with the Authority's Contract Standing Orders unless they are purchased from sources within the Authority.
- d. Goods and services received are checked to ensure they are in accordance with the order. Goods should not ordinarily be received by the person who placed the order but where possible, received and checked by a different officer from the person who authorised the order.
- e. Payments are not made unless goods have been received by the Authority and formally receipted in the Financial System (FMIS) to the correct price, quantity and quality standards.
- f. All payments are made to the correct person, for the correct amount and are properly recorded, regardless of the payment method.
- g. All appropriate evidence of the transaction and payment documents are retained and stored for the defined period, in accordance with the document retention schedule.
- h. All expenditure, including VAT, is accurately recorded against the right budget and any exceptions are corrected.
- i. In addition, the effect of e-business/e-commerce and electronic purchasing requires that processes are in place to maintain the security and integrity of data for transacting business electronically.

#### Responsibilities of the Director of Finance and Procurement

4.47 To ensure that all the Authority's financial systems and procedures are sound and properly administered.

- 4.48 To approve any changes to existing financial systems and to approve any new systems before they are introduced.
- 4.49 To approve the form of official orders and associated terms and conditions.
- 4.50 To make payments from the Authority's funds on the SLT officer's authorisation that the expenditure has been duly incurred in accordance with financial regulations.
- 4.51 To make payments, whether or not provision exists within the estimates, where the payment is specifically required by statute or is made under a court order.
- 4.52 To make payments to contractors on the certificate of the appropriate SLT officer, which must include details of the value of work, retention money, amounts previously certified and amounts now certified.
- 4.53 To provide advice and encouragement on making payments by the most economical means.
- 4.54 To ensure that a budgetary control system is established that enables commitments incurred by placing orders to be shown against the appropriate budget allocation so that they can be taken into account in budget monitoring reports.
- 4.55 The Director of Finance and Procurement has, in consultation with the Head of Legal Services, delegated authority to agree advance payments where a risk assessment and benefits analysis has been undertaken and shall notify senior officers in writing of the excepted items of supplies and services for which payment in advance of receipt may be made.

## Responsibilities of SLT Officers

- 4.56 To ensure that unique Financial System (FMIS) generated pre-numbered official orders are used for all goods and services, other than the exceptions specified in 4.43.
- 4.57 To ensure that orders are only used for goods and services provided to the department or directorate. Individuals must not use official orders to obtain goods or services for their private use.
- 4.58 To ensure that only those staff authorised by him or her authorise requisitions and/or purchase orders and to maintain an up-to-date list of such authorised staff, including specimen signatures identifying in each case the limits of their Authority. The authoriser of the order should be satisfied that the goods and services ordered are appropriate and needed, that there is adequate budgetary provision and that quotations or tenders have been obtained if necessary. Best value principles should underpin the Authority's approach to procurement. Value for money should always be achieved.
- 4.59 To ensure that goods and services are checked on receipt to verify that they are in accordance with the order. This check should, where possible, be carried out by a different officer from the person who authorised the order. Appropriate entries should then be made in inventories or store's records.

- 4.60 To ensure that payment is not made unless a proper VAT invoice has been received, checked, coded and certified for payment, confirming:
- a. Receipt of goods and services.
  - b. That the invoice has not previously been paid.
  - c. That expenditure has been properly incurred and is within budget provision.
  - d. That prices and arithmetic are correct and accord with quotations, tenders, contracts or catalogue prices.
  - e. Correct accounting treatment of tax.
  - f. That the invoice is correctly coded.
  - g. That discounts have been taken where available.
  - h. That appropriate entries will be made in accounting records.
- 4.61 To ensure that two authorised members of staff are involved in the ordering, receiving and payment process. Whenever possible, a different officer from the person who signed the order, and in every case, a different officer from the person checking a written invoice, should authorise the invoice.
- 4.62 To ensure that the department maintains and reviews periodically a list of staff approved to authorise invoices. Names of authorising officers together with specimen signatures and details of the limits of their authority shall be forwarded to the Director of Finance and Procurement.
- 4.63 To ensure that payments are not normally made on a photocopied or faxed invoice, statement or other document other than the formal invoice. Electronically submitted invoices can be accepted if submitted in a form agreed by the Director of Finance and Procurement.
- 4.64 To encourage suppliers of goods and services to receive payment by BACS, the preferred payment method for the Authority. It is essential, however, that payments made by direct debit have the prior approval of the Director of Finance and Procurement.
- 4.65 To ensure that the department obtains best value from purchases by taking appropriate steps to obtain competitive prices for goods and services of the appropriate quality, with regard to the best practice guidelines issued by the Director of Finance and Procurement, which are in line with best value principles and contained in the Authority's Contract Standing Orders.
- 4.66 To utilise the skills of the Head of Procurement in putting purchases, where appropriate, out to competitive quotation or tender. These will comply with the Contract Standing Orders and will cover:
- a. Authorised officers and the extent of their Authority.
  - b. Advertisement for tenders.

- c. Procedure for creating, maintaining and revising a standard list of contractors.
  - d. Selection of tenderers.
  - e. Compliance with UK and EU legislation and regulations.
  - f. Procedures for the submission, receipt, opening and recording of tenders.
  - g. The circumstances where financial or technical evaluation is necessary.
  - h. Procedures for negotiation.
  - i. Acceptance of tenders.
  - j. The form of contract documentation.
  - k. Cancellation clauses in the event of corruption or bribery.
  - l. Contract records.
- 4.67 To ensure that employees are aware of the national code of conduct for local government employees.
- 4.68 To ensure that loans, leasing or rental arrangements are not entered into without prior agreement from the Director of Finance and Procurement. This is because of the potential impact on the Authority's borrowing powers, to protect the Authority against entering into unapproved credit arrangements and to ensure that value for money is being obtained.
- 4.69 To notify the Director of Finance and Procurement of outstanding expenditure relating to the previous financial year as soon as possible after 31 March in line with the timetable determined by the Director of Finance and Procurement and, in any case, not later than 30 April.
- 4.70 With regard to contracts for construction and alterations to buildings and for civil engineering works, to document and agree with the Director of Finance and Procurement the systems and procedures to be adopted in relation to financial aspects, including certification of interim and final payments, checking, recording and authorising payments, the system for monitoring and controlling capital schemes and the procedures for validation of sub-contractor's tax status.
- 4.71 To notify the Director of Finance and Procurement immediately of any expenditure to be incurred as a result of statute/court order where there is no budgetary provision.
- 4.72 To ensure that all appropriate payment records are retained and stored for the defined period, in accordance with the document retention schedule.

## Payment to Employees and Members

### Why is this important?

- 4.73 Staff costs are the largest item of expenditure for Authority services. It is therefore important that payments are accurate, timely, made only where they are due for services to the Authority and that payments accord with individual's conditions of employment. It is also important that all payments are accurately and completely recorded and accounted for and that member's allowances are authorised in accordance with the scheme adopted by the Authority.

### Key Controls

- 4.74 The key controls for payments to employees and members are:
- a. Proper authorisation procedures are in place and that there is adherence to corporate timetables in relation to:
    - I. Starters
    - II. Leavers
    - III. Variations
    - IV. Enhancements
- and that payments are made on the basis of time records or claims.
- b. Frequent reconciliation of payroll expenditure against approved budget and bank account.
  - c. All appropriate payroll documents are retained and stored for the defined period in accordance with the document retention schedule.
  - d. That Inland Revenue regulations are complied with.

### Responsibilities of the Director of Finance and Procurement

- 4.75 To arrange and control secure and reliable payment of salaries, wages compensation or other emoluments to existing and former employees, in accordance with procedures prescribed by him or her, on the due date.
- 4.76 To record and make arrangements for the accurate and timely payment of tax, superannuation (pension) and other deductions.
- 4.77 To make arrangements for payment of all travel and subsistence claims or financial loss allowance.
- 4.78 To make arrangements for paying members travel or other allowances upon receiving the prescribed form, duly completed and authorised.
- 4.79 To provide advice and encouragement to secure payment of salaries and wages by the most economical means.

## Responsibilities of SLT Officers

- 4.80 To ensure appointments are made in accordance with the regulations of the Authority and approved establishments, grades and scale of pay and that adequate budget provision is available.
- 4.81 To notify the Director of Finance and Procurement of all appointments, terminations or variations which may affect the pay or pension of an employee or former employee, in the form and to the timescale required by the Director of Finance and Procurement.
- 4.82 To ensure that adequate and effective systems and procedures are operated, so that:
- a. Payments are only authorised to bona fide employees.
  - b. Payments are only made where there is a valid entitlement.
  - c. Conditions and contracts of employment are correctly applied.
  - d. Employee's names listed on the payroll are checked at regular intervals to verify accuracy and completeness.
- 4.83 To send an up-to-date list of the names of officers authorised to sign records to the Director of People and Organisational Development, together with specimen signatures. The payroll provider should have signatures of personnel officers and officers authorised to sign timesheets and claims.
- 4.84 To ensure that payroll transactions are processed only through the payroll system. SLT officers should give careful consideration to the employment status of individuals employed on a self-employed consultant or sub contract basis. The Inland Revenue applies a tight definition for employee status, and in cases of doubt, advice should be sought from the Director of Finance and Procurement.
- 4.85 To certify travel and subsistence claims and other allowances. Certification is taken to mean that journeys were authorised and expenses properly and necessarily incurred, and that allowances are properly payable by the Authority, ensuring that cost-effective use of travel arrangements is achieved. Due consideration should be given to tax implications and that Director of Finance and Procurement is informed where appropriate.
- 4.86 To ensure that the Director of Finance and Procurement is notified of the details of any employee benefits in kind, to enable full and complete reporting within the income tax self-assessment system and Inland Revenue regulations.
- 4.87 To ensure that all appropriate payroll documents are retained and stored for the defined period in accordance with the document retention schedule.
- 4.88 To ensure that there are adequate arrangements for administering superannuation matters on a day-to-day basis.

## Responsibilities of Members and Employees

- 4.89 To submit personal expense claims for travel and subsistence allowances, including mileage claims under the Essential\Casual Car User Scheme on a monthly basis.
- 4.90 To submit all scale rate claims via payroll so that appropriate deductions can be made in respect of Income Tax and National Insurance contributions in compliance with rules set by HM Revenue & Customs

## **Taxation**

Why is this important?

- 4.91 Like all organisations, the Authority is responsible for ensuring its tax affairs are in order. Tax issues are often very complex and the penalties for incorrectly accounting for tax are severe. It is therefore very important for all officers to be aware of their role.

Key Controls

- 4.92 The key controls for taxation are:
- a. Budget managers are provided with relevant information and kept up-to-date on tax issues.
  - b. Budget Managers are instructed on required record keeping.
  - c. All taxable transactions are identified, properly carried out and accounted for within stipulated timescales.
  - d. Records are maintained in accordance with instructions.
  - e. Returns are made to the appropriate authorities within the stipulated timescale.

## Responsibilities of the Director of Finance and Procurement

- 4.93 To complete all HM Revenue & Customs returns regarding PAYE.
- 4.94 To complete a monthly return of VAT inputs and outputs to HM Revenue & Customs.
- 4.95 To provide details to HM Revenue & Customs regarding the construction industry tax deduction scheme.
- 4.96 To maintain up-to-date guidance for Authority employees on taxation issues in the accounting manual and the tax manual.

## Responsibilities of SLT Officers

- 4.97 To ensure that the correct VAT liability is attached to all income due and that all VAT AT recoverable on purchases complies with HM Customs and Excise regulations.



- 4.98 To ensure that, where construction and maintenance works are undertaken, the contractor fulfils the necessary construction industry tax deduction requirements.
- 4.99 To ensure that all persons employed by the Authority are added to the Authority's payroll and tax deducted from any payments, except where the individuals are bona fide self-employed or are employed by a recognised staff agency.
- 4.100 To follow the guidance on taxation issued by the Director of Finance and Procurement in the Authority's accounting manual and VAT manual.

## Trading Accounts and Business Units

Why is this important?

- 4.101 Trading accounts and business units have become more important as local authorities have developed a more commercial culture. Under CIPFA Service Reporting Code of Practice (SeRCOP), authorities are required to keep trading accounts for services provided on a basis other than straightforward recharge of cost. They are also required to disclose specific information on the trading operation and its financial performance.

## Responsibilities of the Director of Finance and Procurement

- 4.102 To advise on the establishment and operation of trading accounts and business units.

## Responsibilities of SLT Officers

- 4.103 To consult with the Director of Finance and Procurement where a business unit wishes to enter into a contract with a third party where the contract expiry date exceeds the remaining life of their main contract with the Authority. In general, such contracts should not be entered into unless they can be terminated within the main contract period without penalty.
- 4.104 To observe all statutory requirements in relation to business units, including the maintenance of a separate revenue account to which all relevant income is credited and all relevant expenditure, including overhead costs, is charged, and to produce an annual report in support of the final accounts.
- 4.105 To ensure that "proper" accounting practices are applied in relation to trading accounts as for other services or business units.
- 4.106 To ensure that each business unit prepares an annual business plan.

## Appendix E – External Arrangements

### Partnerships

Why is this important?

- 5.01 Partnerships are likely to play a key role in delivering community strategies and in helping to promote and improve the well-being of the area. Local authorities are working in partnership with others – public agencies, private companies, community groups and voluntary organisations. Local authorities still deliver some services, but their distinctive leadership role is to bring together the contributions of the various stakeholders. They therefore need to deliver a shared vision of services based on user wishes.
- 5.02 Local authorities will mobilise investment, bid for funds, champion the needs of their areas and harness the energies of local people and community organisations. Local authorities will be measured by what they achieve in partnership with others.

### General

- 5.03 The main reasons for entering into a partnership are:
- a. The desire to find new ways to share risk.
  - b. The ability to access new resources.
  - c. To provide new and better ways of delivering services.
  - d. To forge new relationships.
- 5.04 A partner is defined as either:
- a. An organisation (private or public) undertaking, part funding or participating as a beneficiary in a project.
- or
- b. A body whose nature or status give it a right or obligation to support the project.
- 5.05 Partners participate in projects by:
- a. Acting as a project deliverer or sponsor, solely or in concert with others.
  - b. Acting as a project funder or part funder.
  - c. Being the beneficiary group of the activity undertaken in a project.
- 5.06 Partners have common responsibilities:
- a. To be willing to take on a role in the broader programme appropriate to the skills and resources of the partner organisation.

- b. To act in good faith at all times and in the best interests of the partnership's aims and objectives.
- c. Be open about any conflict of interests that might arise.
- d. To encourage joint working and promote the sharing of information, resources and skills between public, private and community sectors.
- e. To hold confidentiality any information received as a result of partnership activities or duties that is of a confidential or commercially sensitive nature.
- f. To act wherever possible as ambassadors for the project.

#### Key Controls

5.07 The key controls for Authority partners are:

- a. If appropriate, to be aware of their responsibilities under the Authority's Financial Regulations and Contract Standing Orders.
- b. To ensure that risk management processes are in place to identify and assess all known risks.
- c. To ensure that project appraisal processes are in place to assess the viability of the project in terms of resources, staffing and expertise.
- d. To agree and accept formally the roles and responsibilities of each of the partners involved in the project before the project commences.
- e. To communicate regularly with other partners throughout the project so that problems can be identified and shared to achieve their successful resolution.

#### Responsibilities of the Director of Finance and Procurement

5.08 To advise on effective controls that will ensure that resources are not wasted.

5.09 To advise on the key elements of funding a project. They include:

- a. A scheme appraisal for financial viability in both the current and future years.
- b. Risk appraisal and management.
- c. Resourcing, including taxation issues.
- d. Audit, security and control requirements.
- e. Carry forward arrangements.

5.10 To ensure that the accounting arrangements are satisfactory.

## Responsibilities of SLT Officers

- 5.11 To ensure all requests/proposals for Partnerships are referred to Partnership Advice Group to determine relationship/proposals.
- 5.12 To maintain a register of all contracts entered into with external bodies in accordance with procedures specified by the Director of Finance and Procurement and the Chief Fire Officer.
- 5.13 To ensure that, before entering into agreements with external bodies, a risk management appraisal has been prepared for the Director of Finance and Procurement.
- 5.14 To ensure that such agreements and arrangements:
  - a. Link with the aims and objectives of the Authority; and
  - b. do not impact adversely upon the services provided by the Authority.
- 5.15 To ensure that all agreements and arrangements are properly documented.
- 5.16 Partnerships to be regularly reviewed, monitored and evidenced on the project file and register by Project Managers.
- 5.17 To provide appropriate information to the Director of Finance and Procurement to enable a note to be entered into the Authority's statement of accounts concerning material items.

A standard formal approach should be taken to measuring partnership outcomes.

## External Funding

### Why is this important?

- 5.18 External funding is potentially a very important source of income, but funding conditions need to be carefully considered to ensure that they are compatible with the aims and objectives of the Authority. Local authorities are increasingly encouraged to provide seamless service providers. Funds from external agencies such as the National Lottery and the single regeneration budget provide additional resources to enable the Authority to deliver services to the local community. However, in some instances, although the scope for external funding has increased, such funding is linked to tight specifications and may not be flexible enough to link to the Authority's overall plan.

### Key Controls

- 5.19 The key controls for external funding are:
  - a. To ensure that key conditions of funding and any statutory requirements are complied with and that the responsibilities of the accountable body are clearly understood.
  - b. To ensure that funds are acquired only to meet the priorities approved in the policy framework by the Authority.

- c. Any re-alignment of the budget to reflect the receipt of external funds will in essence be treated in the same manner as a budget virement adjustment and the virement process outlined in Financial Regulations 1.10 to 1.18 must be followed.
- d. To ensure that any match-funding requirements are given due consideration prior to entering into long-term agreements and that future revenue budgets reflect these requirements.

## Responsibilities of the Director of Finance and Procurement

- 5.20 To ensure that all funding notified by external bodies is received and properly recorded in the Authority's accounts.
- 5.21 To ensure that the match-funding requirements are considered prior to entering into the agreements and that future revenue budgets reflect these requirements.
- 5.22 To ensure that audit requirements are met.

## Responsibilities of SLT Officers

- 5.23 To ensure that all claims for funds are made by the due date.
- 5.24 To ensure that all project progresses in accordance with the agreed project and that all expenditure is properly incurred and recorded.

## Work for Third Parties

### Why is this important?

- 5.25 Current legislation enables the Authority to provide a range of services to other bodies. Such work may enable a unit to maintain economies of scale and existing expertise. Arrangements should be in place to ensure that any risks associated with this work is minimised and that such work is intra vires.

### Key Controls

- 5.26 The key controls for working with third parties are:
  - a. To ensure that proposals are costed properly in accordance with guidance provided by the Director of Finance and Procurement.
  - b. To ensure that contracts are drawn up using guidance provided by the Director of Finance and Procurement and that the formal approvals process is adhered to.
  - c. To issue guidance with regard to the financial aspects of third party contracts and the maintenance of the contract register.

## Responsibilities of the Director of Finance and Procurement

- 5.27 To issue guidance with regard to the financial aspects of third party contracts and the maintenance of the contract register.

## Responsibilities of SLT Officers

- 5.28 To ensure that the approval of the Authority is obtained before any negotiations are concluded to work for third parties.
- 5.29 To maintain a register of all contracts entered into with third parties in accordance with procedures specified by the Director of Finance and Procurement.
- 5.30 To ensure that appropriate insurance arrangements are made.
- 5.31 To ensure that the Authority is not put at risk from any bad debts.
- 5.32 To ensure that no contract is subsidised by the Authority.
- 5.33 To ensure that, wherever possible, payment is received in advance of the delivery of the service.
- 5.34 To ensure that the department/unit has the appropriate expertise to undertake the contract.
- 5.35 To ensure that such contracts do not impact adversely upon the services provided for the Authority.
- 5.36 To ensure that all contracts are properly documented.
- 5.37 To provide appropriate information to the Director of Finance and Procurement to enable a note to be entered into the Statement of Accounts.

## PART 5 – PROCEDURE AND POLICIES

### CODE OF CONDUCT FOR MEMBERS

#### **Introduction**

This Authority and those across the Liverpool City Region have adopted this Code of Conduct to promote and maintain high standards of conduct and underpin public confidence in the authority and its members and co-opted members. It is adapted from the Local Government Association (LGA) Model Councillor Code of Conduct 2020 published 19<sup>th</sup> January 2021.

The LGA Model Code was introduced by a Joint Statement from the political groups that:

*“The role of councillor across all tiers of local government is a vital part of our country’s system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.*

*As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.*

*Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.*

*This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public’s trust in local government.”*

The Code sets out general obligations about the standards of conduct expected of Members and co-opted members of the authority, together with provisions about registering and declaring interests. It has been adopted under section 27 of the Localism Act 2011 by the Authority on 20<sup>th</sup> May 2021.

The LGA Model Code is to be reviewed annually and is supported by Guidance to be issued mid - 2021.

#### **Definitions**

For the purposes of this Code of Conduct, a “Member” means a member or co-opted member of a local authority [or a directly elected mayor]. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who:

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

For the purposes of this Code of Conduct, “local authority” includes the upper tier councils, town or parish councils and the combined authorities the Liverpool City Region Combined Authority, the Merseyside Recycling and Waste Authority and Merseyside Fire and Rescue Authority together with any joint committee of two or more of the local authorities across the Liverpool City Region.

### **Purpose of the Code of Conduct**

The purpose of this Code of Conduct is to assist you, as a Member, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow Members, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all Members and your specific obligations in relation to standards of conduct. The fundamental aim of the Code is to create and maintain public confidence in the role of Member and local government.

### **General principles of Member Conduct**

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, Members and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of Member.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of Member.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority’s requirements and in the public interest.

### **Application of the Code of Conduct**

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Member or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a Member.

This Code of Conduct applies to you when you are acting in your capacity as a Member which may include when:

- you misuse your position as a Member; or



- your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Member.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a Member.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish Members are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

### **Standards of Member conduct**

This section sets out your obligations, which are the minimum standards of conduct required of you as a Member. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

## **General Conduct**

### **1. Respect**

#### **As a Member:**

**1.1 I treat other Members and members of the public with respect.**

**1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Member, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Members.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation

or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow Members, where action could then be taken under the Member Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's Member- officer protocol.

## **2. Bullying, harassment and discrimination**

### **As a Member:**

**2.1 I do not bully any person.**

**2.2 I do not harass any person.**

**2.3 I promote equalities and do not discriminate unlawfully against any person.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Members have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

## **3. Impartiality of officers of the local authority**

### **As a Member:**

**3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

## **4. Confidentiality and access to information**

**As a Member:**

**4.1 I do not disclose information:**

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
  - i. I have received the consent of a person authorised to give it;**
  - ii. I am required by law to do so;**
  - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
  - iv. the disclosure is:**
    - 1. reasonable and in the public interest; and**
    - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
    - 3. I have consulted the Monitoring Officer prior to its release.**

**4.2 I do not improperly use knowledge gained solely as a result of my role as a Member for the advancement of myself, my friends, my family members, my employer or my business interests.**

**4.3 I do not prevent anyone from getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

## **5. Disrepute**

**As a Member:**

**5.1 I do not bring my role or local authority into disrepute.**

As a Member, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other Members and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow Members to account and are able to constructively challenge and express concern about decisions and processes undertaken by the local authority whilst continuing to adhere to other aspects of this Code of Conduct.

## **6. Use of position**

### **As a Member:**

**6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.**

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

## **7. Use of local authority resources and facilities**

### **As a Member:**

**7.1 I do not misuse local authority resources.**

**7.2 I will, when using the resources of the local or authorising their use by others:**

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a Member.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a Member more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

## **8. Complying with the Code of Conduct**

### **As a Member:**

**8.1 I undertake Code of Conduct training provided by my local authority.**

**8.2 I cooperate with any Code of Conduct investigation and/or determination.**

**8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**

**8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

It is extremely important for you as a Member to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

## **Protecting your reputation and the reputation of the local authority**

### **9. Interests**

**As a Member:**

**9.1 I register and disclose my interests.**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of Members of the local authority.

You need to register your interests so that the public, local authority employees and fellow Members know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other Members when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

**Appendix B** sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

### **10. Pre-Determination or Bias**

**As a Member I:**

**10.1 Never place myself under any financial or other obligation to outside individuals or organisations who might seek to influence me in the performance of my official duties.**

**10.2 Consider all matters with an open mind and make decisions based upon weighing the best evidence before me, fairly and on merit.**

Where you have been involved in campaigning in your political role on an issue which does not impact on your personal and/or professional life, you should not be prohibited from participating in a decision in your role as Member. However, you must ensure that your integrity is not compromised.

You may be pre-disposed to a number of outcomes to a decision, based upon your, philosophy, beliefs or political allegiance (including any application of a Group whip), but this must not predetermine your actions or the outcome of a decision you are to make. You must always remain open to the potential for further evidence or argument to alter any previously expressed or held viewpoint at the time of making your decision. For this reason, particularly in relation to contractual matters or those affecting individuals' civil rights, it is often best to be cautious about how or if your views are expressed before coming to make a decision.

## **11. Gifts and hospitality**

### **As a Member:**

- 11.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 11.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 11.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Member. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a Member, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a Member. If you are unsure, do contact your Monitoring Officer for guidance.

## **Appendices**

### **Appendix A – The Seven Principles of Public Life**

The principles are:

#### **Selflessness**

Holders of public office should act solely in terms of the public interest.

#### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

#### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### **Honesty**

Holders of public office should be truthful.

#### **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## **Annex B Registering interests**

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

“**Disclosable Pecuniary Interest**” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

“**Partner**” means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

“**Standard Dispensation**” means a dispensation that has been granted by the Authority relieving the member or co-opted member from the restrictions or obligations under this Code as detailed in **Table 3** below.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the Member, or a person connected with the Member, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

### **Disclosure and Non-participation in case of disclosable pecuniary interest**

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation or a Standard Dispensation applies. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

### **Disclosure of Other Registerable Interests and Non-Registerable Interests (Personal and Prejudicial Interests)**



## Personal Interests

6. Where a matter arises at a meeting which **affects**:
  - a. your own financial interest or wellbeing;
  - b. a financial interest or well-being of a relative, close associate; or
  - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing the interest the following test should be applied

## Prejudicial Interests

7. In the following instances, you must disclose the interest and you may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
  - a. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**).
  - b. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate.
  - c. Where a matter **affects** your financial interest or well-being:
    1. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
    2. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest
8. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

## Overview and Scrutiny Committees

9. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where:
  - (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's Cabinet, board or another of your authority's committees, sub-committees, joint committees or joint subcommittees; and
  - (b) at the time the decision was made or action was taken, you were a member of the Cabinet, board, committee, sub-committee, joint committee or joint

sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

10. Paragraph 9 does not prevent you attending and participating in a meeting if you are required to attend a meeting of an overview or scrutiny committee, by such committee exercising its statutory powers.

## Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the local authority) made to the Member during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a Member, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>Contracts</b>	Any contract made between the Member or his/her spouse or civil partner or the person with whom the Member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
<b>Land and Property</b>	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the Member or his/her spouse or civil partner or the person with whom the Member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
<b>Licenses</b>	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer

<b>Corporate tenancies</b>	Any tenancy where (to the Member's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the Member, or his/her spouse or civil partner or the person with whom the Member is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
<b>Securities</b>	Any beneficial interest in securities* of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the Member, or his/ her spouse or civil partner or the person with whom the Member is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

\* 'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## Table 2: Other Registrable Interests

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- a) any body of which you are in general control or management and to which you are nominated or appointed by your authority
- b) any body
  - (i) exercising functions of a public nature
  - (ii) any body directed to charitable purposes or
  - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

## Table 3: Standard Dispensations

2. You will not be regarded as having a prejudicial interest in any business where that business relates to:
- (a) the housing functions of your authority where you hold a tenancy or lease with your authority, provided that you do not have arrears of rent with your authority of more than two months, and provided that those functions do not relate particularly to your tenancy or lease;
  - (b) the functions of your authority in respect of school meals, transport and travelling expenses, where you are a guardian, parent, grandparent or have parental responsibility (as defined in section 3 of the Children Act 1989) of a child in full time education, unless it relates particularly to the school which that child attends;
  - (c) the functions of your authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay from your authority;
  - (d) the functions of your authority in respect of an allowance or payment made under sections 22(5), 24(4) and 173 to 176 of the Local Government Act 1972, an allowance or pension under section 18 of the Local Government and Housing Act 1989 or an allowance or payment under section 100 of the Local Government Act 2000;
  - (e) any ceremonial honour given to one or more Members; or
  - (f) the setting of the authority's council tax requirement, council tax, levy or a precept under the Local Government Finance Act 1992 (except that this dispensation does not apply if you are two months or more in arrears with their Council Tax you must declare this to the meeting and must not vote on budget recommendations, as to do otherwise can be a criminal offence).

## Procedure for Dealing with Allegations Under the Code of Conduct

### Stage 1

1. When a complaint is received (using the existing complaint form) based on the new adopted Code of Conduct:
  - a. Complaints should be directed to the Monitoring Officer.
  - b. The Monitoring Officer must acknowledge the complaint within two (2) working days of receipt.
2. An Independent Person (IP) must be involved in the complaint investigation as required by the Localism Act 2011 section 28(7). This will be arranged by the Monitoring Officer.

### Stage 2

3. Standards matters shall be within the terms of reference of the Audit Committee and if a complaint is received it will firstly be considered by this Committee.
4. The Monitoring Officer or Deputy shall consider the complaint with the IP and provide a report for the Audit Committee which details:
  - a. Details of the complaint.
  - b. Considerations of the complaint and whether a full investigation and hearing may be required.
  - c. Observations of the IP.
  - d. Recommendations to the Committee as to next steps.
  - e. The Audit Committee will be presented with this report and the IP will attend the meeting along with the report author, to give any views arising in respect of the complaint.
5. The report will not be open to inspection by the public under the provisions of the Local Government Act 1972 Schedule 12A.
6. The Audit Committee will determine:
  - a. If the complaint is upheld.
  - b. If the complaint requires further investigation.

- c. If the complaint is not upheld.

**If the complaint is upheld:**

7. The Monitoring Officer or Deputy will provide a report for the Appeals Committee recommending the Sanction proposed by the Audit Committee. Sanctions available are mainly for admonishment of a Member, training and/or development or where pecuniary or other interests have not been declared this could constitute a criminal offence.

**If the complaint is not upheld:**

8. The Audit Committee must give its reasons for not upholding a complaint and can recommend any further/other action it considers might be helpful (for example that the Authority/CLG produces guidance).
9. The Monitoring Officer or Deputy will then write to both the complainant and the Member concerned with reasons/other recommendations.
10. The complainant may appeal to the Appeals Committee by completing an appeal form and sending this to the Monitoring Officer who will then arrange for a report to be drafted to the Appeals Committee.

**If the complaint requires further investigation:**

11. The Monitoring Officer/Deputy will make arrangements for an investigation to be undertaken within 28 days from the date of the Audit Committee meeting. The investigation must involve the IP and must also provide information from the Member complained of along with the reasons provided from the Audit Committee.
12. A meeting of the Appeals Committee will be convened within the next 14 working days to hear the complaint. The complainant, the Members concerned and the IP will be invited to give their views.
13. The meeting will be held in private and the complainant and the member must be given the opportunity to present their case.
14. The Appeals Committee will make its decision giving full reasons, as to whether the Member has or has not complied with the Code of Conduct. The outcome will then be provided in writing within the next 7 working days, to both the complainant and Member concerned.
15. If the complaint is upheld, the Appeals Committee will decide on the appropriate sanction. The decision of the Appeals Committee will be final.

### **Stage 3: Appeals**

#### **If an appeal is received under Stage 2 (above):**

16. An extraordinary meeting of the Appeals Committee will be convened within the next 14 working days to hear the appeal. The complainant, the Members concerned and the IP will be invited to give their views.
17. The meeting will be held in private and the complainant and the member must be given the opportunity to present their case.
18. The Appeals Committee will make its decision giving full reasons, as to whether the Member has or has not complied with the Code of Conduct. The outcome will then be provided in writing within the next 7 working days, to both the complainant and Member concerned.
19. If the appeal is upheld, the Appeals Committee will then decide on the appropriate sanction.
20. The decision of the Appeals Committee will be final.



## MEMBERS CODE AND GUIDANCE ON OFFICIAL VISITS BY MEMBERS

### Guidance

#### 1. **Proposal by Members**

1.1 Members proposing an official visit on behalf of the Authority, should submit the following details to the Solicitor to the Authority:

- a. The location of the visit.
- b. The purpose of the visit.
- c. The duration of the visit.
- d. The number of Members and Officers proposing to make the visit.
- e. The proposed method of travel to the location and itinerary of the visit.
- f. The estimated cost of the visit.
- g. The estimated benefit to the Authority in making the visit.

1.2 The Solicitor to the Authority after consultation with the Chief Fire Officer, shall then report the proposal to the appropriate committee, setting out the above details and the estimated cost of attendance in respect of travel and accommodation, or travelling and subsistence allowances, in order that the Authority may make a decision on the matter.

#### 2. **Proposal by Principal Officers**

2.1 Principal Officers proposing an official visit by Elected Members on behalf of the Authority shall inform the Monitoring Officer of the proposal in order that the Monitoring Officer can provide an assessment, in consultation with the Director of Finance and Procurement, of the cost to the Authority of travel and accommodation, or travelling and subsistence allowances, and an indication as to whether sufficient budgetary provision is available.

2.2 The relevant Principal Officer shall then submit a report to the appropriate committee, detailing the matters set out in paragraph 1 above including details of estimated costs.

#### 3. **Expenses of Visit**

3.1 The Authority may agree to pay expenses as follows:

- a. In the case of visits within the UK, subsistence and travel allowances equivalent to the maximum rates specified by the Secretary of State for performance of approved Duties.

- b. In the case of visits outside the UK, subsistence and travel allowances at the maximum rates specified by the Secretary of State for performance of approved duties; or such reasonably higher amount as reflects the higher cost of meals or accommodation abroad.
  - c. Expenses incurred in the reception and entertainment, by way of official courtesy, of persons representatives of, or connected with local government or other public Services, whether inside or outside the UK.
  - d. Other expenses reasonably incurred by, or on behalf of Members during the visit (such as reciprocating hospitality on a modest scale) where proof of such expenditure is provided.
- 3.2 Where possible, accommodation, meals and methods of travel should be booked and paid by the Authority directly, in order to maximise discounts available; and to avoid the need for individuals to pay expenses from their own funds, or requiring cash allowances.
- 3.3 Expenditure incurred in the reception and entertainment by way of official courtesy, should comply with the Authority's Guidance on giving hospitality.

In summary this means that:

- a. Prior approval of the Authority to incur expenditure on such hospitality is required.
  - b. The hospitality provided must be of a modest scale appropriate to the occasion.
  - c. If a full meal is appropriate, the cost must not exceed the existing levels of Members allowances.
  - d. The number of recipients of hospitality must be restricted and must not extend beyond those directly involved in the relevant official courtesy visit.
- 3.4 Expenses will not be paid by the Authority in respect of personal expenditure incurred by Members or Officers, including the following:
- a. Purchase of alcoholic drinks (except a moderate amount taken as part of a meal which qualifies for subsistence payment).
  - b. Other Hotel or in-room amenities.

#### 4. **Reporting Back**

- 4.1 A report shall be prepared by the relevant Senior Officer, or a Member who attended the visit, and submitted to the next meeting of the appropriate Committee detailing the results of the visit.

5. **Checking Entitlement to Expenses**

- 5.1 Members who consider that they are entitled to claim travel and subsistence allowances in relation to a visit, should in cases of doubt, check and confirm entitlement with Democratic Services.

6. **Monitoring of Expenditure**

- 6.1 The Solicitor to the Authority shall be responsible for monitoring expenses and allowances payable as a result of such visits.

**Indemnity Given to Members of the Authority**

1. The Authority has determined to indemnify its Members against certain claims, costs and damages against Members, in the circumstances set out below.

2. **Indemnity**

- 2.1 In this Indemnity:

- a. "Act of Default" means any neglect, act, error, or omission including any breach of Trust or duty of care or fiduciary, or any other duty committed by an employee of Member.
- b. "Solicitor to the Authority" means the person appointed to the Authority under S.34 of the Local Government Act 1985 and S.5 of the Local Government and Housing Act 1989.
- c. "Code of Conduct" means the Code of Conduct applying to the Authority Members for the time being in force.
- d. "Part 3 Proceedings" means any investigations, report, reference, adjudication or other proceeding pursuant to Part 3 of the Local Government Act 2000.
- e. "Director of Finance and Procurement" means the person appointed as Chief Finance Officer to the Authority under S.73 and 105(1) of the Local Government and Housing Act 1989.
- f. "Officers and Members" means the Chief Fire Officer and all employees of the Authority, all Members, the Solicitor to the Authority, the Director of Finance and Procurement of the Authority and its former Chief Fire Officers, employees, Councillors, Solicitors and Directors of Finance and Procurement.

- 2.2 The Authority will, subject to the exceptions set out in paragraph 2.3, Indemnify its Officers and Members against claims made against them (including, all damages and costs awarded) and will not itself make claims against them for any loss or damage (other than claims falling within the cover provided to its officers and Members under any policy of insurance taken out by the Authority, or any motor vehicle insurance policy taken out by the officer or Member) occasioned by negligent and accidental act or omission, including any breach of trust, or duty of care or fiduciary, or any other duty committed by them:

- a. Whilst acting within the scope of their employment or authority.
- b. Where they and the Authority honestly believed that they were acting within the scope of their employment or authority (even though they were not in fact acting within the scope of their employment or authority).
- c. Whilst acting for other persons or other bodies of whatsoever nature within the scope of their employment or authority.

2.3 This indemnity shall not extend to loss or damage directly or indirectly caused by, or arising from:

- a. Fraud, dishonesty, deliberate wrongdoing, or a criminal offence, on the part of Officers and Members whilst acting on the Authority's business (except where the criminal offence is an offence under the provisions of the Health and Safety at Work Act etc. 1974 or relevant statutory provisions within the meaning of the Act, or where it is alleged that the criminal offence arose due to the wrongful but not wilful act or default of any such person, in which case the indemnity will continue to apply).
- b. Liability in respect of losses certified by the District Auditor as caused by wilful misconduct.

Notwithstanding paragraph 2.3 (a) above (subject to paragraph 3), an indemnity will be provided in relation to:

- I. The defence of any criminal proceedings brought against the Officer or Member, and
- II. any civil liability arising as a consequence of any action or failure to act, which also constitutes a criminal offence.

2.4 If any part of this indemnity is declared by any judicial or other competent authority to be void, illegal or otherwise unenforceable, then such part shall be severed from the remainder of this indemnity which will continue to be valid and enforceable to the fullest extent permitted by law.

3. The Member shall reimburse the Authority for any money spent by the Authority in relation to:

- a. Defence of criminal proceedings if the Member in question is convicted of a criminal offence and that conviction is not overturned following any appeal.
- b. Part 3 Proceedings against a Member if:
  - I. a finding is made in those proceedings that the Member in question has failed to comply with the Code of Conduct and that finding is not overturned following any appeal; and
  - II. the Member admits that they have failed to comply with the Code of Conduct.

4. Wherever possible, all outside bodies upon which Members are presently appointed; and any outside bodies upon which Members may in the future be appointed, are required to purchase and maintain henceforth, insurance to cover

the Member of any financial liability which might by virtue of any rule of law or otherwise, attach to such Member, in respect of any negligent default, breach of duty, or breach of trust, of which such Member may be guilty.

## SCHEME OF MEMBERS ALLOWANCES

1. This Scheme is made on the 13<sup>th</sup> day of June 2019, in accordance with the Local Authorities (Members Allowances) England Regulations 2003 for the payment of Members Allowances.
2. This Scheme amends the previous Scheme made by the Authority with effect from the 1<sup>st</sup> day of April 2005, as subsequently amended on 1<sup>st</sup> November 2008, 15<sup>th</sup> June 2009, 11<sup>th</sup> June 2013, 26<sup>th</sup> June 2014, 11<sup>th</sup> June 2015, 14<sup>th</sup> June 2016, 13<sup>th</sup> June 2017 and 14<sup>th</sup> June 2018. This Scheme shall continue until subsequently varied or revoked by the Authority.
3. Basic Allowance
  - 3.1 The Authority shall pay a Basic Allowance to each Member of the Authority who is a Councillor for each year.
  - 3.2 Subject to paragraphs 3.3, 7, 8, and 12 the Basic Allowance payable in respect of each year commencing on 1st April, shall be £8,070.
  - 3.3 Where a Member's term of office begins or ends at any time other than at the beginning or end of a year, their entitlement shall be to a proportion of the Basic Allowance that represents the number of days within that year, to which they are appointed as a Member of the Authority.
4. Special Responsibility Allowance
  - 4.1 Subject to paragraphs 4.2, 7, 8, and 12 the Authority shall pay to a Member of the Authority who is a Councillor and who has the Special Responsibility specified in column one of Schedule 1 to this scheme, a Special Responsibility Allowance in respect of each year, commencing on the 1st April 2019, of a sum specified in the corresponding part of column 2 of Schedule 1.
  - 4.2 Should a Member be appointed to, or removed from a role carrying a Special Responsibility Allowance, at any point other than at the beginning or end of the year, their entitlement shall be to a proportion of the Special Responsibility Allowance, that represents the number of days within the year, to which they are appointed in that role.
5. Travelling and Subsistence Allowance
  - 5.1 Subject to paragraphs 8, 9, and 12 the Authority shall pay to each Member of the Authority who is a Councillor, an allowance in respect of travelling and subsistence undertaken in connection with, or relating to the duties specified in paragraph 5.2, in respect of matters specified in column 1 of the second Schedule at the rates specified in the corresponding part of column 2 of the second Schedule.
  - 5.2 The duties referred to in paragraph 5.1 (for which a travelling and subsistence allowance is payable) are:
    - a. The attendance at a meeting of, the Authority, any sub – committee of the Authority, any other body to which the Authority makes appointments or nominations, or any committee or sub-committee of any such a body;

- b. The attendance at any other meeting, the holding of which is authorised by the Authority, or a committee or sub-committee of the Authority, or a joint committee of the Authority and one or more Local Authority within the meaning of section 270 (1) of the Local Government Act 1972, or a sub-committee of such a joint committee provided that:
  - I. Where the Authority is divided into two or more political groups, it is a meeting to which members of at least two such groups have been invited, or
  - II. if the Authority is not so divided, it is a meeting to which at least two members of the Authority have been invited.
- c. The attendance at a meeting of any association of authorities of which the Authority is a member.
- d. The attendance at any conference or meeting approved by the Authority (or the Monitoring Officer, acting under delegated powers on behalf of the Authority) whether inside or outside of the United Kingdom, for the purpose of discussing any matter which relates to the interests or the functions of the Authority, or to any function of Local Authorities in which the Authority has any interest.
- e. The attendance at seminars and presentations arranged by the Chief Fire Officer, the Monitoring Officer, or the Authority, which relate to the interests or the functions of the Authority, or to any function of local authorities in which the Authority has an interest.
- f. Making official and courtesy visits, whether inside or outside the United Kingdom, on behalf of the Authority, as approved by the Authority, or a Committee of the Authority (or the Monitoring Officer acting under delegated powers on behalf of the Authority.)

6. Independent Persons Allowance

- 6.1 The Authority shall pay an Independent Person Allowance, in respect of attendance at conferences and meetings, to any individual who is not a Member of the Authority, but who is appointed as a co-opted member of a Committee (or Sub-Committee) of the Authority.
- 6.2 Subject to paragraphs 6.3, 7, 8, 9, and 12, the Independent Person's Allowance, payable in respect of each year commencing on 1<sup>st</sup> April 2017, shall be to a sum of £50 for each day of attendance at meetings or events.

7. Suspension of Allowances

- 7.1 Where a Member of the Authority or of a Committee of the Authority (as the case may be) is suspended from their responsibilities or duties as a Member of the Authority in accordance with part III of the Local Government Act 2000 or regulations made under that part, then the Authority may withhold:
  - a. the part of the Basic Allowance payable to that Member in respect of the period for which they are suspended or partially suspended; and/or

- b. the part of the Special Responsibility Allowance payable to that Member in respect of the responsibilities or duties from which they are suspended or partially suspended; and/or
- c. any Travelling and Subsistence Allowance payable to the Member in respect of the responsibilities or duties from which they are suspended or partially suspended; and/or
- d. any Independent Person's Allowance payable to that Member in respect of the responsibilities or duties from which they are suspended or partially suspended.

8. Repayment of Allowances

- 8.1 Where payment of any allowance has already been made in respect of any period during which the Member concerned is:
- a. suspended or partially suspended from their responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 or regulations made under that part; or
  - b. ceases to be a Member of the Authority; or
  - c. is in any other way not entitled to receive the allowance in respect of that period.

The Authority may require that such part of the allowance as relates to any such period, be repaid to the Authority.

9. No Duplication of Payment

- 9.1 Where a Member of the Authority is also a Member of another authority, that Member may not receive allowances from more than one authority in respect of the same duty.

10. Elections to Forgo Allowances

- 10.1 A person may, by notice in writing given to the Monitoring Officer, elect to forgo their entitlement, or any part of their entitlement to allowances.

11. Claims and Payments

- 11.1 Claims for Travelling and Subsistence Allowances, and Independent Person's Allowances must be made by the person to whom they are payable within 6 months of the date from which entitlement to such allowances arises.
- 11.2 The Authority has the right to refuse payment where the allowance is not claimed within the period specified in paragraph 11.1.



12. Annual Adjustment of Allowances

12.1 The allowances specified in paragraphs 3 (Basic Allowance), 4 (Special Responsibility Allowance), 5 (Travelling and Subsistence Allowance) and 6 (Independent Person's Allowance), shall be increased annually with effect from the 1<sup>st</sup> day of April in each year, by the same proportion as the increase in salary of firefighting staff in the Service in the year prior to 1<sup>st</sup> April of the year for which an allowance under this scheme is payable, unless The Authority resolves otherwise.

13. Date from which Amendments to the Scheme are to Apply

13.1 Where an amendment is to be made to this scheme by the Authority, which affects an allowance payable for the year in which the amendment is made, entitlement to such allowance as amended, shall apply with effect from the date of approval of the amendment by the Authority.

## Schedule 1 – Special Responsibility Allowances

<u>Column 1</u> (Special Responsibility)	<u>Column 2</u> (Amount of Special Responsibility Allowance)
Chairperson	£16,140
Vice Chairperson (incl. Chair Of Committee)	£12,105
Opposition Spokesperson	£2,018
Committee Chair for Committees of 7 Members or more (excl. Authority Chair/ Vices & Leaders/Opposition Spokesperson)	£6,053
Committee Chair for Committees of 6 Members or less	£4,035
Additional Responsibility (except the Chairman, a Vice Chairman, Leader/Opposition Spokesperson, Chair of a Committee or Sub-Committee)	£2,018

Only one additional Responsibility Allowance payable regardless of how many additional responsibility roles held.

## Schedule 2 – Travelling & Subsistence Allowances

### 1. Travel Allowance

<u>Column 1</u> (type of travel)	<u>Column 2</u> (rates of allowance)
Travel by public transport	A sum equal to the costs of the ordinary fare, or in the case of travel by rail the cost of first class travel
Travel by motor cycle	22.6p per mile
Travel by motor vehicle	56.4p per mile
Travel by taxi	A sum equal to the actual fare and any reasonable gratuity paid.
Travel by air	A sum equal to the cost of the ordinary fare, or where travelling on a flight scheduled to take at least 5 hours a sum equal to the cost of club class

### 2. Subsistence Allowance

<u>Column 1</u> (absence period)	<u>Column 2</u> (rates of allowance)
-------------------------------------	---

#### 2.1 Where the Authority does not pay for overnight accommodation direct and:

Absence overnight in UK from usual place of residence (other than in London)	£148.00
Absence overnight from usual place of residence in London (i.e. the city of London, Boroughs of London, Greenwich and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwall, Tower Hamlets, Wandsworth and Westminster)	£180.00
Absence overnight outside the U.K.	£180.00

2.2 Subject to paragraph 2.3. where the Authority pays for overnight accommodation direct and there is absence from the usual place of residence, a subsistence allowance of £56.82 in London and £44.77 elsewhere, is payable. Where the absence does not involve an absence overnight:

(a) Breakfast Allowance

Absence of more than 4 hours Before 11a.m.	£9.01
---	-------

(b) Lunch Allowance

Absence of more than 4 hours, Including the period of 12noon and 2pm	£13.55
---	--------

(c) Tea Allowance

Absence of more than 4 hours Including 3pm to 6pm	£5.64
--	-------

Or;

(d) Evening Meal Allowance

Absence of more than 4 hours ending after 7pm	£16.92
--	--------

2.3 Where meal(s) are provided free of charge to the Member their entitlement to an allowance will not apply in respect of the meal period for which such meal or meals are provided without charge to the Member.

## MEMBER ALLOWANCES 2021/2022

Original Source: CFO/117/05

Revised 'Scheme of Members Allowances' 01/11/08

Increased each 1<sup>st</sup> April in line with Firefighters Pay Award of previous July

Increase applied 01/04/10 = 1.25%

<b>Basic Allowance</b>	<b>Annual</b>	<b>New Monthly</b>
Members	£ 8,070	£ 672.50

	<b>Daily Attendance Rate</b>
Co-Optee / Independent Person	£50 payable via Invoice

<b>Special Responsibility Allowance</b> (payable to certain Members in addition to Basic)	<b>Annual</b>	<b>New Monthly</b>
Chair	£16,140	£ 1,345.00
Vice Chair (incl. Chair of Committee)	£12,105	£ 1,008.75
Opposition Spokespersons	£ 2,018	£ 168.17
Committee Chair for Committees of 7 Members or more (excl. Authority Chair/ Vices & Leaders)	£ 6,053	£ 504.42
Committee Chair for Committees of 6 Members or less	£ 4,035	£ 336.25
Additional Responsibility (unless in receipt of any other special responsibility)	£ 2,018	£ 168.17

### **Members Travel & Subsistence Allowances 2018/19**

<b>Travel</b>	<b>New Allowance</b>
Motor Cycle (pence per mile)	22.6
Motor Vehicle (pence per mile)	56.4

<b>Overnight Subsistence</b>	
Overnight Stay – London & Approved Conferences	£180.00
Overnight stay outside London	£148.00

***If accommodation is paid directly by the Authority, the allowance is reduced to:***

London & Approved Conferences	£56.82
Outside London	£44.77

<b>Day Subsistence</b>	
Breakfast	£ 9.01
Lunch	£13.55
Tea	£ 5.64
Evening Meal	£16.92
Full day subsistence	£39.49

***Where any meal is provided free of charge, the corresponding allowance will not be payable.***

## SUCCESSION PLANNING POLICY – CHAIR AND VICE CHAIR OF THE AUTHORITY

### 1. **Policy**

- 1.1 The Authority recognises that it must plan for succession for positions of:

Chair and Vice Chair of the Authority

### 2. **Implementation**

- 2.1 At each Annual Meeting of the Authority, the Monitoring Officer shall request an indication from all Members as to whether there are any Members who would wish to put themselves forward for consideration as either a future Chair or Vice Chair.
- 2.2 If there are Members who are prepared to undertake either of these roles, then arrangements will be made to enable prospective Chairs and Vice Chairs to shadow the existing Chair and Vice Chair over a period of time.
- 2.3 The Solicitor to the Authority shall arrange for an external selection process for selection and appointment of Independent Persons, which will be completed in ample time to enable newly appointed independent Persons to take up their appointments.
- 2.4 The Monitoring Officer shall seek to retain a list of external candidates, who may be willing to take up an appointment as an Independent Person in the event that any serving Independent Person suddenly become unable to continue as an Independent Person for any reason.

## PROTOCOL ON MEMBER AND OFFICER RELATIONS

*“Every Local Authority should have its own written statement or protocol governing relations between Members and Officers”* (Third report of the committee on standards in public life, the Nolan Committee).

### 1. Introduction

- 1.1 The relationship between Elected Members and Officers of the Fire Authority is one of its main organisational strengths. However, the Authority accepts it is required to have a formal protocol which covers the relationship between Elected Members and Officers. This protocol is prepared to meet those requirements, but against a background of a good working partnership, which benefits everyone who serves or is employed in the Authority. It will provide a safe guide to help ensure that current good practice continues.
- 1.2 The Fire Authority recognises that a strong, constructive and trusting relationship between Members and Officers, is essential to the effective and efficient working of the organisation. Members and Officers should work in partnership in developing the policies of the Authority and in ensuring the delivery of Services to the people of Knowsley, Liverpool, Sefton, St. Helens and Wirral.
- 1.3 This protocol takes into account the respective and different roles of Members and Officers and does not seek to change or influence these roles. The intention is to build on the good relationship which already exists.
- 1.4 It is accepted that from time to time issues do arise which need to be addressed from both sides. This protocol will be used as appropriate to help in addressing any such matters.
- 1.5 It is recognised that the Authority is a corporate entity, but that in terms of its political structure, there is an administration and opposition dimension which involves both Members and Officers operating in a politically sensitive climate. Officers have an obligation to serve the Authority as a corporate body.
- 1.6 It is recognised that the Authority is a corporate entity, but that in terms of its political structure, there is an administration and opposition dimension which involves both Members and Officers operating in a politically sensitive climate. Officers have an obligation to serve the Authority as a corporate body.

### 2. Operation of this Protocol

- 2.1 This protocol will be applied to having regard to the requirements of the Members' Code of Conduct and the Officers' Code of Conduct, as set out in the Authority's Constitution, and relevant Authority policies, procedures and processes. Members and Officers must at all times observe this protocol.
- 2.2 Where there is a conflict or discrepancy between this protocol and those codes and policies referred to in 2.1 above, then those codes and policies shall have precedence. Account will also be taken of any conventions in the case of conflict or discrepancy.

- 2.3 This protocol does not affect or interfere with any rights of or protection which a person may have in law.

### 3. Responsibility for the Protocol

- 3.1 The Chief Fire Officer is responsible for the operation of this protocol and will ensure that it is reviewed from time to time.
- 3.2 He or she will rule on the interpretation and / or the application of the protocol in matters of dispute and such rulings will be final. Where such a matter is relevant to or involves the Chief Fire Officer then the Monitoring Officer shall be the appropriate Officer under this paragraph.
- 3.3 The Fire Authority is responsible for approving any amendments or additions to the protocol following consultation with Member and Officer representatives and the Audit Sub Committee where appropriate.

### 4. Member and Officer Roles

- 4.1 This protocol recognises that Members are elected and Officers are appointed to serve the people of Knowsley, Liverpool, Sefton, St. Helens and Wirral and that their roles are distinct.
- 4.2 The Members are accountable to the electorate who determine the people they wish to represent them on various unitary authorities. These five Authorities then nominate Elected Members to sit on the Fire Authority.
- 4.3 Officers are accountable to the people of Knowsley, Liverpool, Sefton, St. Helens and Wirral through the full Fire Authority.
- 4.4 Councillors are mainly responsible for:
- a. The political direction and leadership of the Authority, the determination of policies, plans and strategies; and deciding matters to give effect to or implement those policies, plans and strategies, particularly in service delivery terms.
  - b. Performing the Authority's regulatory functions.
  - c. Monitoring and reviewing functions, the Authority's performance in implementing its plans and strategies and in delivering its Services.
  - d. Participation in partnership working.
  - e. Representing the Authority on national, regional and local bodies and organisations.
  - f. Representing the views of their communities and individual constituents in respect of the work of the Fire Authority.
- 4.5 Members should not involve themselves in the day to day management of the Authority's Services as the responsibility rests with the Chief Fire Officer and Senior Managers and there are clearly defined lines of accountability to Members.



- 4.6 Under the Authority's Constitution some Members have additional responsibility at Member level, for example being Chair of a Committee or as a Lead Member for a specific area of the Service. The holding of these Offices will involve a different relationship with certain Officers in areas where the Member has a particular role and responsibility. Also, the relationships will be more complex and expectations will be different from other Members.
- 4.7 The roles of certain Members and Officers can be summarised as follows:
- a. Chair – Chair of the Authority who is responsible for promoting and developing the Authority.
  - b. Vice Chair – who deputises for the Chair in their absence.
  - c. Committee Chairs - who Chair and co-ordinate Committee meetings and work together to ensure effective scrutiny.
  - d. Opposition Spokesperson – who leads the main opposition Group and represents it at meetings of the Authority and its Committees.
  - e. Minority Party Group Leaders – who lead the other opposition Groups and represent them at meetings of the Authority and its Committees.
  - f. Group Whips – who are responsible for the organisation and administration within Party Groups and for liaison with Officers about Members' attendance at meetings and representation on outside bodies.
- 4.8 It is important that Members of the Authority:
- a. Respect the impartiality of officers and not undermine their role in carrying out their duties.
  - b. Do not ask Officers to undertake work or to act in a way which seeks to support or benefit a particular political party or gives rise to the officer being criticised for operating in a party political manner.
  - c. Do not ask Officers to exceed their authority where that authority is given to them in law, by the Authority or by their managers.
- 4.9 This protocol recognises the role of opposition groups in the Fire Authority acting individually or jointly, and that relationships will be again different and complex. Members in opposition have the same rights and obligations in their relationships with Officers and should be treated equally. Where opposition groups, individually or collectively, appoint their Members to perform shadow or spokesperson roles, then the requirement of 4.6 above will apply.
- 4.10 It is however envisaged that all Members will work co-operatively to ensure that the Fire Authority meets its statutory obligations and provides an effective and efficient Fire and Rescue Service to the people of Merseyside.
- 4.11 The primary role of officers is to advise, inform and support all Members and to implement the lawfully agreed policies of the Fire Authority.

- 4.12 In performing this role, Officers will act professionally, impartially and with political neutrality. Whilst Officers will report a Member's view on an issue, the Officer should not be influenced or pressured to make comments or recommendations which are contrary to his or her professional judgement or views.
- 4.13 The Chief Fire Officer, the Monitoring Officer and the Director of Finance and Procurement (Section 151 Officer) have specific responsibilities placed on them by law. These responsibilities go beyond their obligations as employees of the Fire and Rescue Authority. Where an Officer is discharging his or her responsibilities under any statutory office, a Member or Members shall not:
- a. Interfere with or obstruct the Officer in exercising those responsibilities.
  - b. Victimise any Officer who is discharging or has discharged his or her responsibilities of the statutory office.

## 5. Member/Officer Obligations and Expectations

- 5.1 Members will require and expect Officers.
- a. To be committed to the Authority as a whole and not to any political group or individual.
  - b. To work in partnership with Members in an impartial and professional manner.
  - c. To understand and support the respective roles of Members and the associated workloads and pressures.
  - d. To implement decisions of the Fire Authority and its subordinate committees which are lawful, have been properly approved in accordance with the law and the Authority's Constitution and formally recorded.
  - e. To respond to enquiries and complaints in accordance with the Fire and Rescue Authority's standards.
  - f. To provide professional advice, which is not influenced by political views or preferences, and which does not compromise the political neutrality of Officers.
  - g. To provide information as agreed on matters that can reasonably be considered appropriate and relevant to their needs, taking into account the Members' individual responsibilities and position and the requirements on Members' access to documents and information, subject to specific exclusions, e.g. personal interests and confidentiality.
  - h. To be aware of and sensitive to the internal and external political environment.
  - i. To act with honesty, respect, dignity and courtesy at all times.
  - j. To provide support and learning and development opportunities for Members to help them in performing their various roles.

- k. To act with integrity and appropriate confidentiality.
- l. Not to raise issues of a personal nature outside agreed procedures.
- m. Not to use their relationship with Members to advance their personal interests or to influence decisions improperly.
- n. To comply at all times with the Officer Code of Conduct and such other policies or procedures approved by the Fire and Rescue Authority to support the role of Councillors with any policy or procedure agreed by the Fire Authority.
- o. Not to support Members in any role other than that of a Fire Authority Member and not to undertake any actions which are not compatible with this Protocol.

5.2 Officers can expect Councillors:

- a. To act within the policies, practices, processes and conventions established by the Fire and Rescue Authority.
- b. To work constructively in partnership with Officers, acknowledging their separate and distinct roles and responsibilities.
- c. To understand and support the respective roles and responsibilities of Officers and their associated workloads, pressures and reporting lines.
- d. To give political leadership and direction and to seek to further their agreed policies and objectives with the understanding that Members have the right to take the final decision and issues based on advice.
- e. To treat them fairly and with respect, dignity and courtesy.
- f. To act with integrity, to give support and to recognise appropriate confidentiality.
- g. To recognise that Officers work to the instructions of their senior Officers and not to individual Members.
- h. Not to subject them to intimidation, harassment or put them under pressure. Councillors will have regard to the seniority of Officers in determining what are reasonable requests, having regard to the relationship between Councillor and Officer and the potential vulnerability of officers, particularly at junior levels.
- i. Not to request them to exercise discretion which involves acting outside the Fire Authority's policies and procedures.
- j. Not to authorise, initiate or certify any financial transactions or enter into any contract, agreement or undertaking on behalf of the Fire Authority, or in their role as Member of the Fire Authority without proper and lawful authority.
- k. Not to use their position or relationship with Officers to advance their personal interest or those of others, or to influence decisions improperly.

- I. To comply at all times with the Members Code of Conduct, the law, the Constitution and such other Policies, Procedures, Protocols and Conventions agreed by the Fire Authority.

## 6. Behaviour Limitations

- 6.1 The different roles of Members and Officers require particular limitations upon behaviour. Both Members and Officers need to ensure that their working relationship is appropriate to their respective role and that they do not act in any way which would lead to their behaviour being questioned. It is not possible to provide a list of circumstances where behavioural issues might be of concern. The main examples below help to illustrate the point.
  - a. A close personal relationship between a Member and an Officer can confuse their separate roles and influence the proper discharge of the Authority's functions, not least in creating a perception that a Councillor or Officer may be securing advantageous treatment.
  - b. The need to maintain the separation of roles means that there are limits to those matters on which a Member may seek the advice of an Officer, both in relation to personal matters and party political issues.
  - c. Relationships with a particular individual or party group should not be such as to create public suspicion that an employee favours one Councillor or group above the others.

## 7. Members' Access to Information

- 7.1 Information requested by Members should be supplied to them unless there are good reasons for withholding it in accordance with this Protocol, and those reasons are given in writing and copied to the Monitoring Officer. Information requested should be supplied accurately and quickly. In a few instances, the need to meet legal constraints, and to protect the Authority's and the public interest, may lead to contention. The following paragraphs set out some guidance on how to resolve those issues.

They describe:

- a. The circumstances in which Members have a legal right to access the information.
  - b. The limits to those legal rights.
  - c. The process that will determine a dispute.
- 7.2 Under the "need to know" principle, Members are entitled to the information that they reasonably require to enable them to discharge their functions as Members. They are not entitled to go on fishing expeditions through Authority files. They are not entitled to access information for some other purposes, such as to help somebody to attack the Authority. Their rights will therefore depend on their individual roles, and on which Committee they serve on. Statute law gives Members rights of access to certain Authority documents.

- 7.3 Members do not have a general right to require Officers to carry out research or administrative work to provide information, apart from officers whose job is to provide such support to Members. Unless they have authority to do so by virtue of their specific role they cannot require resources to be re-allocated for work of this kind, however, all Officers will assist wherever they can.
- 7.4 Members are entitled to publicly accessible information, and personal information about themselves, like any other member of the public (for example under the Data Protection Act or in due course the Freedom of Information Act). Members may be authorised by a member of the public to access personal information on their behalf, but the authority must be clear and explicit.
- 7.5 An Officer may require a Member to undertake that the information will be treated as confidential before supplying it, and may refuse to supply it if the undertaking is not given. Reasons for confidentiality should be given in writing and subject to the Right of Appeal to the Monitoring Officer.
- 7.6 Information provided by Officers should be prompt and accurate.
- 7.7 Any Member who is dissatisfied with the decision to withhold information should complain to the relevant Director. If a Member is still dissatisfied, they should raise the matter with the Chief Fire Officer, who may take legal advice. If the Member disagrees with the decision of the Chief Fire Officer they can place the matter before the Authority, or the relevant Committee, or raise it with the District Auditor.

## 8. Confidentiality

- 8.1 Members and Officers must keep confidential information and papers confidential. This means not sharing them with anyone.
- 8.2 Authority and Committee papers marked "exempt" are "confidential" and are to be treated as confidential. Other information may be confidential because it is against the Authority's or the public interest to disclose it or because of the circumstances in which it was obtained.
- 8.3 Information about someone's private or business affairs will normally be confidential, as will their correspondence with the Authority.
- 8.4 Officers should make it clear to Members if they are providing them with confidential information. If a Member is uncertain about whether or not information might be confidential, he or she should seek guidance from the Monitoring Officer, and in the meantime treat it as confidential.
- 8.5 If a Member receives confidential information but thinks that it should be released on a "whistle-blowing" basis in the public interest, he or she must check with the Chief Fire Officer, Monitoring Officer or the Director of Finance and Procurement or the appropriate external Regulatory Authority before deciding to release it.

## 9. Personal Relationships

- 9.1 The relationship between Members and Officers must be based on mutual respect and confidence.
- 9.2 Close personal relationships between Officers and Members can arise, for example, where a Member's relative works for the Authority. This needs special care. The Member should declare the relationship to his or her Group Leader or Whip. The Officer should declare a relationship to his or her line manager, who should make it known to the Clerk and Monitoring Officer. These disclosures should be recorded in writing. They may be made on a completely confidential basis, that is to say on the very clear understanding that no one else will be told without both parties' consent. If there is a special reason why the Group Leader, Whip or Line Manager should not be told then the advice of the Monitoring Officer should be taken. The Officer and the Member must strive to avoid giving any impression of favouritism. The relationship may give the Member a declarable personal interest, and possibly a prejudicial interest preventing him or her from relevant Authority activity. The Officer may be unable to carry out certain activities that would otherwise be part of his or her job. Both need to bear these constraints in mind when they seek changes in their areas of responsibility. In an extreme case the relationship may make it impossible for them to perform those responsibilities properly.
- 9.3 Officers and Members should likewise strive to avoid developing antagonistic or combative relationships with each other. They should show respect to one another at all times. Offensive behaviour by an Officer to a Member is likely to be a disciplinary offence. Offensive behaviour by a Member to an Officer is likely to be a breach of the Code of Conduct.
- 9.4 A Member who is criticised by another Member can answer back. It would not be appropriate for an Officer to do so. Members should avoid public criticism of individual Officers, as it is unfair and oppressive. Members should not attempt to pressurise individual Officers to give them preferential treatment, or to compromise their professional integrity.
- 9.5 Officers' performance is monitored by their line managers and the performance of each service is monitored by the Authority.
- 9.6 Complaints about the performance of individual Officers should be made to their line managers. Complaints about Directors should be made to the appropriate line manager on the Executive Team. Complaints about the legality or financial probity of the activities of the Chief Fire Officer should be made to the Monitoring Officer and the Chief Finance Officer. Otherwise complaints about the Chief Fire Officer should be placed before the Authority or taken to the appropriate external regulator such as the District Auditor.
- 9.7 If a Member has a personal, private or business interest in a matter being dealt with by an Officer, he or she should strive to ensure that no suspicion of preferential treatment can arise. The objective should be as much transparency as possible, but subject to this it may be better for the Member to arrange for someone else to deal direct with the Officer. The Member should write to the relevant Officers placing it on record that he or she does not expect preferential treatment. A Member should not badger or pressurise the Officer, or use ease of access to his or her personal advantage.

## 10. Officers and Committees

- 10.1 Reports to the Authority, its Committees and Sub-Committees are produced by Officers. Initially the reports will have been drafted by Officers, and they will bear the name of the Reporting Officer (usually a member of the Executive Team) and a Contact Officer.
- 10.2 The agenda for a Committee is agreed by the Chair on the advice of the relevant Officers. If, exceptionally, an Officer needs to report to an Authority body outside these principles but in discharge of his or her professional or legal duty, the Officer must consult the Chief Fire Officer and the Chair of the body in question first.

## 11. Correspondence

- 11.1 Only the Chair (or Vice Chair) can write official letters (that is to say a letter intended or appearing to be written on behalf of the Authority as a body, as opposed to on behalf of an individual Member) although generally Officers will handle correspondence of all kinds. Chairs of Committees may write letters concerning the conduct of their meetings, but not otherwise. Members writing official letters on behalf of the Authority must use a style which distinguishes this from the letters written in their personal or political capacities. Other Members' letters are written in personal or political capacities.
- 11.2 A Member can ask an Officer to keep their correspondence private. If the Officer cannot do this (because they are under an obligation to someone else, or because the Authority ought to respond to the issue raised in a different way) they must make this clear straight away. Otherwise, the Officer must observe confidentiality.
- 11.3 Unless correspondence is private, Officers may copy letters of general interest to the relevant Member or Committee Chair. They should always state that they are doing this on the letter itself. Officers should never copy Members' correspondence to other Members secretly.
- 11.4 Officers should be aware that Members may circulate their letters to the public unless requested not to do so.
- 11.5 This all applies to emails.
- 11.6 If an Officer needs to reproduce and communicate an oral conversation with a Member in written form, he or she will copy the correspondence to the Member concerned as a matter of courtesy.
- 11.7 Officers should respond to correspondence from Members within 5 (five) working days.

## 12. Staffing Matters

- 12.1 Members may be formally involved in staff recruitment as a member of a panel.
- 12.2 That apart, Members should not become personally involved in such matters.
- 12.3 Officers should not raise individual personal issues with Members concerning their jobs.
- 12.4 If a Member receives a “whistleblowing” disclosure from an employee, he or she should pass it on in accordance with the whistleblowing code (Appendix 5). Members should contact the Monitoring Officer should they require guidance.

## 13. Authority Property

- 13.1 Individual Members do not have a general right to visit Authority premises or land that are not open to the public. However, Members are encouraged to visit Fire Stations and other Fire Authority premises.
- 13.2 Members may have a "need to know" what is happening on Authority premises in the same way as they have access to other information. This will entitle them to visit premises for a specific purpose, such as scrutiny.
- 13.3 If Members do visit premises, they should normally make themselves known to the person in charge.

## 14. Attendance at Meetings

- 14.1 Members may wish Officers to attend public meetings to provide them with support. This is subject to the principles set out below:
  - a. Officers cannot become involved in political debate. This includes public meetings at which Members are not present.
  - b. Officers will be able to explain particular proposals and issues but technical officers are not expected to deal with issues outside their area of knowledge.
  - c. Officers will not normally attend such meetings after the publication of notification of election.
- 14.2 Officers may be invited to public meetings by local people or Organisations. If so, they should consider whether any Members, should be notified.



## 15. Political Groups

- 15.1 It is in the interests of the Authority to support to some degree the effective operation of all its political groups and not one particular group. The operation of Political Groups may, however, pose particular issues for Officers in terms of their impartiality.
- 15.2 A political group may request the Chief Fire Officer or a senior manager to prepare a written report on a matter or matters relating to the Authority for consideration by the Group.
- 15.3 An Officer report to a political group will be restricted to a statement of material facts and identification of options and the merits or otherwise of such options for the Authority. Such reports will not cover any political implications of the matter or any option. Such reports will not include any recommendations.
- 15.4 The release of such reports to other political groups shall be dealt with in accordance with any conventions in existence at the time.
- 15.5 A political group may request the Chief Fire Officer or a senior manager to attend a meeting of the group to advise on a particular matter relating to the Authority. The Chief Fire Officer or senior manager may arrange for the attendance of a representative on his or her behalf, or may decline to attend or send a representative where he or she is of the opinion that the particular issue is of such a political nature that it would be inappropriate to attend.
- 15.6 Officer advice at a meeting of a political group will be restricted to a statement of material facts and identification of options and the merits or otherwise of such options for the Authority. The advice will not cover any political implications of any matter or any option.
- 15.7 All Officers will respect the confidentiality of any matter which they hear in the course of attending any political group meeting or in respect of any requests for advice and the giving of that advice.

## 16. Breaches of the Protocol

- 16.1 Where a Member is dissatisfied with the conduct, behaviour or performance of an Officer, the matter should be raised with the appropriate Line Manager. Where the Officer concerned is a Line Manager, the matter should be made with the Chief Fire Officer. Where the employee concerned is the Chief Fire Officer, the matter should be raised with the Monitoring Officer.
- 16.2 On the Members side, where the relationship between Councillors and Officers breaks down or becomes strained, every effort will be made to resolve matters informally, through conciliation by an appropriate senior manager or Councillors. Officers will also have recourse to the Grievance Procedure or to the Authority's Monitoring Officer as appropriate, in certain circumstances. In the event of a Grievance or Complaint being upheld, the matter will be referred to the Chief Fire Officer who, having advised the Chair of the Authority and the other appropriate party spokespersons, will decide on the course of action to be taken, following consultation with the Audit Committee if appropriate.

16.3 Breaches of the Protocol by a Member may result in a Complaint to the Audit Committee and in the case of officers may lead to Disciplinary Action.

## MEMBER'S TRANSPORT GUIDANCE

### Introduction

In order to attend meetings of the Authority, its Committees and other approved duties which are for the purpose of or in connection with the discharge of the functions of the Authority, the elected Members of the Authority are entitled to claim travelling allowances in accordance with the Local Government Act 1972 and the Local Authorities (Members Allowances) England Regulations 2003 (as amended). The Members Allowance Scheme of the Authority provides for travel allowances payable at specified rates to any Councillor who carries out any approved duty as defined in the Scheme.

This document sets out the guidance of the Authority with regard to the various options available to elected Members for travelling to perform their duties. It also sets out the allowances that they are eligible to claim in respect of any travel expenses that they do incur.

### Guiding Principles for Members Transport

Members are asked to attend meetings and other duties wherever possible by use of their own vehicles, public transport or where no public service is reasonably available, by taxi. Where a taxi is not available the use of a hired vehicle may be authorised by the Solicitor to the Authority. It is accepted that such modes of transport represent the most convenient and best value options for both Members individually and the Authority in general.

The "last resort" option would be for Authority vehicles, driven by personnel to transport Members to their duties. However, this is clearly a costly and inefficient use of resources and it would also inevitably, on occasion, prove logistically impractical, particularly as Members are not permanently based at any particular Authority premises. However, there will be certain instances where transport of Members by Authority vehicle is appropriate and this guidance indicates such circumstances and the procedure which should be followed in the event that a request for such use is contemplated.

The Democratic Services Team will provide a journey planning service to Members for all journeys outside the county area. Members are requested to advise the Team of the date and location of the event they are attending as soon as they become aware of it. An assessment will then be made of the most efficient and effective mode of transport, given the specific circumstances of the journey and according to the balance between the criteria of time saved, the alternative available modes of public or private transport, the cost of such alternatives, the practicality, convenience and ease of travel for the individual and the implications for the Authority of otherwise providing transport directly.

In the event that the Authority directly meets the cost of providing transport, Members are not entitled to claim an expense.

In certain situations, as detailed below, Members are requested, where possible, to provide receipts or other evidence of expenditure for costs actually incurred in the course of travel.

### Use of Members Own Vehicles

All Members of Merseyside Fire & Rescue Authority, who may be required to use their own transport for attending meetings and events on Authority business, should ensure that they have business use included on their motor vehicle insurance policy.

If Members on approved duties use their own private motor vehicle, they are entitled to claim back the following mileage allowances:

Motor Cycle	22.6 pence per mile
Motor Vehicle	56.4 pence per mile

Members may claim the amount of actual expenditure for car parking and of tolls for tunnels or bridges. If absent overnight on an approved duty, reimbursement of the actual cost of garaging a motor vehicle may be made to Members.

All of the above claims can be made by completing the standard yellow claim form for allowances that are available from the Democratic Services Manager. Receipts or other evidence of expenditure, are requested where claims are made for car parking or garaging fees. They will not be required for payment of Mersey Tunnel or other toll fees.

## Use of Public Transport

**\*Members are requested to consider factors which may impact on the cost of any travel, before any booking is made, to ensure that the most efficient journey, which represents value for money, can be planned. There is provision for Members to use first class travel. However, given the requirement for the Authority to be open and transparent, the cost of any first class travel should be justifiable.**

## Rail

\*When wishing to travel via rail on Authority Business, Members can either contact the Democratic Services Manager to request the booking be made, providing as much detail and notice prior to the date of travel as possible, to enable the most efficient journey to be planned and a value for money ticket to be secured.

There is provision for Members to use first class rail travel, if justification can be provided.

Wherever possible, fixed return tickets should be booked if they are substantially more cost effective than an open return.

Members can make their own rail travel booking for attending events on Authority business within the County, by way of the Merseyrail network, and submit claims for reimbursement to the Democratic Services Manager on the standard allowances claim form, with the corresponding receipts/confirmation of booking attached.

In respect of travel by rail outside the county, Democratic Services will make arrangements in advance, specifying the time and date of travel and the nature of the tickets they require. It should be remembered that, in particular with rail travel, discounted and saver tickets are available when tickets are reserved sufficiently in advance. Alternatively, if appropriate, Members may meet the costs of travel themselves and reclaim the expenditure later, providing receipts or other evidence of expenditure wherever possible.

## Bus, Ferry and Other Public Transport

\* Members are requested to travel standard class wherever possible, and claim the actual amount of the ordinary fare or any saver fare where available. Members may travel and claim first class, if justification can be provided. Claims should be made on the standard claims form

and submitted with supporting receipts/confirmation of booking to the Democratic Services Manager.

## Use of Taxis

The Solicitor to the Authority is delegated to determine if a specific journey by taxi is acceptable by undertaking an assessment of the balance between time saved, alternative available modes of public or private transport, the cost of such alternatives, the practicality, convenience and ease of travel for the individual and the implications for the Authority of otherwise providing transport directly.

After considering the above issues and having determined that there are clear circumstances - such as there being a case of urgency or where no public transport service is reasonably or directly available – where the use of a taxi is acceptable, the Solicitor to the Authority will authorise such use. Members should claim on the standard form the actual fare incurred and any reasonable gratuity paid. Receipts or other evidence of expenditure should be provided.

## Use of Hired Vehicle

Where there is an entitlement, as detailed above, to reclaim taxi fare and where such a vehicle is not available or where the likely cost of the fare is excessive, a Member is entitled to be repaid the cost of hiring a motor vehicle other than a taxi. However, if such an event is likely to occur, Members are requested in the first instance to contact the Democratic Services Manager. They will ascertain first of all the possibility of a Service vehicle being provided or if not, they will arrange for the Service to make appropriate efforts to hire a suitable vehicle for the use of the Member. In the event that this is not possible and the Member hires the motor vehicle directly, they should provide appropriate receipts or other evidence of expenditure when submitting a claim for reimbursement.

## Air Travel

Members are entitled to claim the Standard Air Fare between destinations or where travelling on a flight scheduled to take at least five hours, a sum equal to the cost of club class.

In most cases the Authority, via the Democratic Services Manager, will directly meet the costs of air travel but in the event that Members do pay their own fare, they should provide receipts or other evidence of the fare, along with their claim for re-imbusement.

## Use of Transport Provided by Service

Members will be assisted with directly provided transport for certain particular events. There are two broad categories for the provision of Service transport:

- (i) where it is for a visit which will involve a number of Members, (for example, Station Visits, a Members Strategy Day or a visit to the Fire Service College or Westminster) the Authority directly arranges transportation, usually in the form of a car, minibus or coach, in order to minimise overall transport costs; and
- (ii) where there is a direct request from a Member for the use of a Service vehicle and/or the provision of a Service driver.

In the latter category, the Member should initially make their request to the Democratic Services Manager who will act on behalf of the Solicitor to the Authority in liaising with the

Chief Fire Officer to ascertain if the request is feasible both in terms of the availability of a vehicle and/or driver and of the existence, in the specific circumstances, of any potentially more economic and practical alternatives such as the use of a taxi.

Members in possession of a full, valid driving license are insured to drive Service vehicles and are eligible to make a request to do so. In the event that Members are authorised to self-drive a Service vehicle and that it is necessary for them to purchase petrol, oil or any other necessary commodity or accessory which is essential to ensure they complete their journey, they may claim reimbursement of the actual costs incurred. Receipts or other evidence of expenditure should be produced.

## Travel Insurance

Members are requested to ensure that the Democratic Services Manager is notified in advance of all occasions when they will be either travelling outside the UK or travelling by air as such trips will require specific notification to the insurers of the Authority.

## SUPPORT SERVICES FOR MEMBERS

1. The Authority provides support services for Members:
  - a. Group officers, including administrative officers and facilities.
  - b. ICT facilities.
  - c. Development and training.
  - d. The Members' research facility in Democratic Services.
  - e. Allowances and expenses.
  - f. Official transport.
- 1.2 There are three constraints on the use of these facilities: legal limits, cost factors, and the importance of providing equivalent facilities to all political groups.
- 1.3 Members must not abuse these facilities. This protocol sets out the general principles.
- 1.4 None of these rules affect the activities of Members using other resources, for example using support provided by their political parties. Political lobbying and campaigning is an essential part of the government at all levels. The different level of resources available to the different political parties and groups is not a matter for the Authority.
- 1.5 Authority resources must never be used for party political publicity. "Publicity" has a very wide legal definition - any communication to any section of the public is covered.
- 1.6 Leaving aside publicity, the Code of Conduct says "a Member..... must when using or authorising the use by others of the resources of the Authority..... ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the Authority or of the office to which the Member has been elected or appointed."
- 1.7 Resources are limited, so explicit limits are placed on copying, posting etc. These can be waived in exceptional circumstances by the Democratic Services Manager, or the Clerk, but the situation must be truly exceptional. Members should not divide up work into parcels, or trade entitlements to find ways around the limits.
- 1.8 Members using ICT facilities must abide by the Authority's ICT Acceptable Use Policy. A copy of the policy is included in this document. Further, Members attention is drawn to the E-mail; Internet Access and Usage; and Using Social Media service instructions contained within the related document section of the policy.
- 1.9 Members must not use any facilities for their own private purposes, unless they are using spare capacity at no cost to the Authority and in accordance with any instructions given by the Authority.

- 1.10 Official cars and taxis are made available to Members and Officers solely for use on official duties. Guidance is included in this document.
- 1.11 Members' allowances, and subsistence and travel expenses, are paid in accordance with the Scheme and the legislation. Members may only claim expenses that they have actually incurred, and that they needed to incur for Authority activities. This should comply with the legal code.



## SERVICE POLICY ICTPOL03

### Acceptable Use Policy

#### 1. Policy Introduction and Background

Provide brief background information to introduce the reader to the context of the policy and the reasons for its creation.

MF&RS is dependent on Information and Communication Technology (ICT) to deliver its services. The appropriate and secure use of ICT is vital to protect the interests of MF&RS and the service it provides to the citizens of Merseyside.

The ICT AUP is in place to ensure:

- The use of ICT complies with legal requirements.
- The maximum benefit is obtained from MF&RS investment in ICT facilities
- Risks arising from improper use of information, identity or equipment are minimised.
- Individual users can have confidence that they can only be held accountable for their own actions, and not unknowingly those of others.
- Children and Young people using technology are helped to be kept safe.

#### 2. Policy Explanation

Provide details about the policy, what the Fire and Rescue Service is committed to do and why, including any legislative requirements

ICT facilities are provided to users primarily for MF&RS business purposes to support the service it provides. In addition, occasional and limited personal use of the ICT facilities by users is permitted. ICT facilities encompass, but are not restricted to:

- Network Infrastructure; including (but not limited to) the physical infrastructure whether cable or wireless, together with network servers, firewall, connections, switches and routers.
- Network Services; including (but not limited to) internet access, web services, broadband, email, wireless, network file store, network user accounts, printing and telephony.
- Hardware Assets; MF&RS owned or leased computing hardware, both fixed and portable, including (but not limited to) desktops, laptops, tablets, PDA's, mobile devices, mobilising devices, servers, printers, scanners, disc drives, monitors, keyboards and other peripherals.
- Software; including (but not limited to) applications and information systems and software tools.

The ICT facilities will vary per user group depending on their business requirement.

### 3. Policy Implementation

The Service Instructions used to underpin this Policy are:

ICT users should familiarise themselves with these Service Instructions:

SI0433	Airwave Radio terminals and associated equipment – Secure handling and storage
SI0587	Communication Equipment Rooms
SI0699	Using Social Media (Owned by Corporate Communications Function)
SI0700	Acceptable E-Safety Use (Owned by Community Risk Management Function)
SI0703	Internet Access and Usage
SI0704	ICT Incident Reporting Process
SI0705	ICT Mobile Phones
SI0706	ICT Service Request
SI0707	Office Moves involving ICT Assets
SI0729	LLAR Acceptable Use of ICT Equipment
SI0730	E-Mail
SI0740	AVLS Fault Reporting
SI0774	Monitoring of ICT Equipment
SI0851	Acceptable use of iPads
SI0787	Airwave Protocols
STRPOL09	Associated Policy – Information Governance and Security
SI0896	Printing, scanning and copying

# PROTOCOL ON REPORTING AT MEETINGS

## Introduction

Merseyside Fire and Rescue Authority is committed to openness and transparency in how it conducts its business. This Protocol sets out its approach to certain types of reporting at its decision-making meetings. It outlines some basic principles and practical points aimed at balancing the requirements of those wishing to report the meeting and those attending and taking part.

Appended to this Protocol is a more in depth procedure which should be read in advance and adhered to by anyone wishing to attend Merseyside Fire and Rescue Authority Meetings, Committee's and Sub-Committee's. (Appendix A Procedure for Attendance and Recording of Meetings of Merseyside Fire and Rescue Authority).

## Reporting

The Local Government Act 1972 provides that individuals may carry out reporting at meetings of local government bodies. This Protocol is primarily concerned with reporting that involves filming, photographing, and/or audio-recording of meetings.

## Before the Meeting

There is no requirement to obtain permission or to make a prior arrangement to attend a meeting for the purpose of reporting upon it. However, if you are intending to film, photograph and/or audio-record, it would be helpful to contact Democratic Services (see contacts below) to ensure that suitable arrangements can be made to accommodate you.

There will be a designated area in the meeting room for you to observe the meeting and to allow you to film, photograph and/or audio-record it. Wherever possible you will have access to a seat (although this may depend on how much space is available).

The Chair of the meeting will be informed if the reporting includes filming, photographing and/or audio-recording. Those attending the meeting who are not Members or officers will be made aware that they have the right to object to being filmed, photographed and/or audio-recorded by you.

You must not start filming, photographing and/or audio-recording until the Chair opens the meeting.

## During the Meeting

The Chair will announce at the beginning of the meeting that the meeting is being filmed, photographed and/or audio-recorded. He or she will then ask attendees whether they agree to be filmed, photographed and/or audio-recorded to allow them to register a personal objection. If anyone has a personal objection then the Chair can temporarily suspend filming, photographing and/or audio-recording to allow attendees to have their say.

Note: this does not apply to Members and officers.

If the Chair considers that the filming, photographing and/or audio-recording is disrupting the meeting he/she can instruct you to stop doing so. Therefore, it is worth noting that your equipment should not be noisy or otherwise distracting (e.g. flash and spotlights can be problematic).

You will not normally be allowed to give a live commentary on proceedings as this is highly likely to be disruptive.

If you refuse to stop filming, photographing and/or audio-recording when requested to do so, the Chair may ask you to leave the meeting. If you refuse to do so then the Chair may adjourn the meeting or make other appropriate arrangements for the meeting to continue without disruption. There are provisions in the Authority's Constitution that allow this.

When the meeting is officially closed by the Chair you must stop filming, photographing and/or audio-recording.

## Exclusion from Meetings

The majority of the Authority's decision-making take place in meetings open to the public and press. You may only be excluded from a meeting when issues are being considered that involve confidential or exempt information (as defined in Section 100 of the Local Government Act 1972).

Even if you are excluded you will know the nature of the business to be dealt with while you are excluded from the meeting and the decision will be made known after the meeting.

No filming, photographing and/or audio-recording is permitted during any exclusion. All equipment for filming, photographing and/or audio-recording must be removed from the meeting room.

## Interpretation of this Protocol

Any decision taken by the Chair on the interpretation of this protocol before, or at the meeting in question is final.

## Publication

This protocol will be published on the website with Meetings Agendas, and Meeting Agendas will carry a statement relating to this Protocol.

## Contact Details

Democratic Services Manager  
Merseyside Fire and Rescue Authority HQ  
Bridle Road, Bootle, Liverpool, Merseyside, L30 4YD  
0151 296 4112  
[democraticservices@merseyfire.gov.uk](mailto:democraticservices@merseyfire.gov.uk)

# PROCEDURE FOR ATTENDANCE AND RECORDING OF MERSEYSIDE FIRE AND RESCUE AUTHORITY

## Purpose

To inform all visitors attending Merseyside Fire and Rescue Authority Headquarters with the intention to observe and/or record the proceedings of meetings, of the procedure to be followed during your attendance, for the purpose of clarity, safety and security. *(This procedure is in addition to, and should be read in conjunction with MFRA Meeting Reporting Protocol).*

## Overview

Merseyside Fire and Rescue Authority is committed to openness and transparency in how it conducts its business. Anyone wishing to attend public meetings of this Authority are welcome, however the number of people who attend each meeting may vary making it difficult to predict how many people will turn up on the day. Therefore, the following arrangements are in place to ensure that there is reasonable provision for your purpose of visit.

## Prerequisite Information

The Openness of Local Government Bodies Regulations 2014 came into force on 6 August 2014 and amended the Local Government Act 1972 regarding the governance of Authority, Committee and sub-Committee meetings, and the recording of certain officer decisions. Whilst already open to members of the press and public to attend, the Openness of Local Government Bodies Regulations 2014 provides for any person to be permitted to report on the meeting, including the filming, photography, or making of audio recordings of proceedings of meetings. This does not include live commentary.

## Safety, Precaution, Entry, Admittance and Departure

Most meetings of Merseyside Fire and Rescue Authority, including Committees and Sub-Committees, are held at their Headquarters, Bridle Road, Bootle, Liverpool, Merseyside, L30 4YD and usually commence at 1pm (unless otherwise published). It is recommended that you check the location and start time of the meeting before starting your journey, to ensure you arrive at the appropriate time.

All meetings and agendas are published on our website ([http://www.merseyfire.gov.uk/asp/pages/fire\\_auth/authorityContent.aspx](http://www.merseyfire.gov.uk/asp/pages/fire_auth/authorityContent.aspx)) five days prior to the date of the meeting or you can contact Democratic Services by ringing 0151 296 4230.

It would be helpful if you could contact Democratic Services to advise of your intention to attend the meeting to assist in the allocation of appropriate space within the meeting room. Should you have any special requirements which may impact upon your visit, please contact Reception tel.0151 296 4000, and advise ahead of your planned visit, to enable details to be taken and the appropriate officer notified to consider any reasonable adjustments or additional assistance which may be required.

If the number of visitors exceed that which is deemed safe for the size and capacity of the meeting room, you will be refused access on safety grounds.

All external visitors wishing to attend meetings of the Authority, are requested to arrive no earlier than thirty minutes prior to the opening of the meeting (e.g. meeting start 1.00 pm – do

not arrive earlier than 12.30 pm). Arrival before this time may result in you being refused admittance to the building until such time that your entry can be facilitated. This is due to the security requirements for the building.

For your own safety, security and protection, and for that of others working and visiting the premises, all external visitors (including employees who do not work in the building) are required to identify yourself to reception upon arrival, and departure. You will be required to provide your name, the purpose of your visit, who you are visiting, and provide the details of any vehicle which you wish to leave on the premises until your departure.

If you have equipment with you, you should inform reception and confirm for what purpose you intend to use such equipment during your visit. Examination of any equipment you bring, may be required.

When you sign into the building you will be allocated a coded visitor pass which you are required to visibly wear at all times, and must hand back to reception when you sign out of the building.

Once entry to the building has been granted and compliance with reception/security requirements have been met, Reception will inform Democratic Services of your presence and arrangements to escort you to the designated waiting area, will be made. You **must** wait to be escorted to the designated area. Staff will be preparing for the meeting or escorting other visitors therefore this may take a few minutes wait until such time a member of staff is available to do so, we therefore request your patience.

## Access to the Actual Meeting

ALL persons attending to observe meetings of the Authority, who are not Merseyside Fire and Rescue Authority Members or Officers directly advising Members in the meeting, **MUST** remain in the designated waiting area until such time that it is announced that you may enter the Authority Meeting Room.

Access to the Meeting room will be given fifteen minutes prior to the start of the meeting, to allow reasonable time to set up any equipment.

In the event of a fire or requirement to evacuate the building – all visitors must be accounted for therefore you must ensure you are with the person/s you are here to visit.

In the event of an evacuation you will be instructed where to go by Fire Marshalls and Officers, and procedures should be announced at the opening of business.

## Equipment

The Authority does not accept responsibility for the loss or damage to any equipment or items it does not own, therefore any personal items and belongings you bring with you are your responsibility which you bring at your own risk.

You may be required to have your equipment / belongings checked before admittance to the building.

You are requested to ensure that your equipment is not noisy or invasive, which could cause distraction to the proceedings.

## Prior to the Meeting

Members and Officers attending meetings or training events prior to any meeting of the Authority, are required to arrive on time, ensure that all business starts at the agreed time and concludes **at least** fifteen minutes prior to the published start time of the Authority/Committee/Sub Committee, to enable the room to be cleared and ensure sufficient time for visitors to be permitted entry and set up of equipment, is provided.

## During the Meeting

The Chair presiding over the meeting will request anyone present with the intention of recording the proceedings, to make themselves known to the Chair. The Chair will advise those present, if the meeting is being recorded, and ask if any visitors have objection to being filmed. **In the event that someone requests not to be filmed, they will be asked if they wish to leave or move to an area out of recording sight.** The Chair has the right to request stoppage of recordings, or to stop the proceedings of the meeting (in line with procedural standing orders contained within the constitution) should he/she feel there is unsuitable distraction or disturbance to the meeting.

## Exclusion

All reports considered by the Authority are open and published to the Public unless there is confidential information contained within the report which under the Local Government Act 1972, is deemed Exempt. In such instances the Agenda will state by what section of the Local Government Act the item is Exempt under and during the preliminary matters on the Agenda, the Chair will announce if there are any exempt items on the Agenda which the Press and Public will be required to leave the meeting.

If there are Exempt items the Chair will announce at the time of reaching that item, for the Press and Public to leave.

All external visitors must take their equipment and belongings and make their way back to the waiting area. Equipment is to be packed away in the waiting area and you must wait for a member of staff to escort you back to reception. This may mean waiting a short while for other visitors to finish packing away their equipment and a member of staff escort several visitors together to reception.

## Exit and Departure

You will be required to sign out at reception and ensure that you hand your visitor pass back to reception, and they have confirmed your departure. You must vacate the building and car park (if using the car park) immediately.

## Further Information

For further information or questions on any aspects of this document, please contact the Democratic Services Team at:

[Democraticservices@merseyfire.gov.uk](mailto:Democraticservices@merseyfire.gov.uk)





<b>MERSEYSIDE FIRE AND RESCUE SERVICE</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>10<sup>TH</sup> JUNE 2021</b>	<b>REPORT NO:</b>	<b>CFO/033/21</b>
<b>PRESENTING OFFICER</b>	<b>ACTING MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>GEMMA SUNG</b>
<b>OFFICERS CONSULTED:</b>	<b>SANDRA WAINWRIGHT - PA TO CFO, DCFO &amp; ACFO IAN CUMMINS – FINANCE DIRECTOR RIA GROVES – ACTING MONITORING OFFICER</b>		
<b>TITLE OF REPORT:</b>	<b>AUTHORITY MEETING DATES FOR 2021/22 AND 2022/23</b>		

<b>APPENDICES:</b>	<b>APPENDIX A</b>	<b>DRAFT APPROVED MEETING DATES 2021/22</b>
	<b>APPENDIX B</b>	<b>DRAFT PROVISIONAL MEETING DATES 2022/23</b>

### **Purpose of Report**

1. To request that Members confirm the draft dates for Authority Committee meetings and events for 2021/22 and note the draft provisional dates for 2022/23.

### **Recommendation**

2. That Members:
  - a) Consider the schedule of meeting dates and events for 2021/22 (attached at Appendix A and provisionally agreed at the Annual General Meeting on 11<sup>th</sup> June 2020) and confirm approval.
  - b) Consider and note the draft provisional dates for 2022/23 (attached at Appendix B).

### **Introduction and Background**

3. The Authority is requested to consider and ratify the Schedule of Dates for the Municipal Year 2021/22. These were provisionally agreed at the AGM on 11<sup>th</sup> June 2020.
4. Where Council meeting dates have been available, these have been taken into consideration, as well as religious holidays; and dates for Committees have been programmed sympathetically around those dates wherever possible.

5. The proposed dates have been devised to aid the flow of business for the year through the Committee process; to enable the Authority to meet its deadlines in terms of setting the budget, consulting on and delivering its IRMP and other strategic plans; and to provide the opportunity for regular and effective scrutiny.
6. The proposed schedule of meeting dates does not include any meetings of Task & Finish Groups or Rapid Reviews, which may be called at the request of any meeting of the Authority or its Committees. Similarly, it does not include any scheduled dates for meetings of the Appointments, Appeals or Joint Fire and Police Collaboration Committees, which will be called as and when required.
7. The draft schedule includes proposed dates for the Authority's two Strategy Days. The initial annual Strategy Day, which forms part of Induction/training for Members, has been scheduled in July 2021. The Budget Strategy Day is scheduled in January 2022.
8. Should the Authority require additional Strategy Days during the year, these can be arranged in line with the business determined, as and when required.
9. "Learning Lunches" and other Member Development events have been programmed into the attached schedule of meeting dates.
10. The schedule of meeting dates, continues to include a series of Station Visits and MFRA staff engagement days.
11. The MFRA staff engagement days and Station Visits are intended to provide all staff with an opportunity to:
  - meet Authority Members and learn more about them; and the role of the Authority.
  - discuss their views on staff engagement activity with Elected Members; and
  - discuss current topics of interest with Elected Members and raise any questions they wish to ask.
12. These engagement events also provide a useful opportunity for Members to familiarise themselves with the Authority's premises and assets.
13. During 2020/21 these events continued to take place remotely in a suitable format and the format of these events will remain under review as restrictions start to ease to ensure the most effective and safe method of engagement.
14. Members have previously requested that the number of meetings scheduled during April be kept to a minimum, to enable them to dedicate appropriate time to canvassing and assisting their political groups in the run up to the local elections. This request has been adhered to when preparing the draft schedule of dates.
15. The proposed meeting dates also include a break throughout August to accommodate the peak holiday period and a break during the Christmas period.

16. Set meeting dates may be changed and other meetings convened as and when required, in accordance with Standing Orders.
17. A Full Authority Meeting will now take place on 30<sup>th</sup> June 2021, as per Standing Orders.

---

**Equality and Diversity Implications**

---

18. There are no equality and diversity implications arising directly from this report.

---

**Staff Implications**

---

19. There are no staff implications arising directly from this report.
20. Once approved by the Authority, the dates of meetings will be published on the Portal for the information of all staff and on the Authority's Website for public record.

---

**Legal Implications**

---

21. Proposed meeting dates must be given in advance to Members in order to comply with the requirements of the Local Government Act 1972.

---

**Financial Implications & Value for Money**

---

22. There are no financial implications arising directly from this report. Any expenses incurred further to Members attendance at the meetings on the dates agreed will be contained within existing budgets

---

**Risk Management, Health & Safety, and Environmental Implications**

---

23. There are no risk management, health and safety or environmental implications arising directly from this report.

---

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

---

24. The dates for meetings are set to ensure that Members of the Authority have adequate time and opportunity to fully consider and scrutinise the information provided, to enable them to make informed decisions; and provide the best possible service to keep the communities of Merseyside Safer and Stronger and ensure our employees are Safe and Effective.

---

**BACKGROUND PAPERS**

---

---

**GLOSSARY OF TERMS**

---

AGM - ANNUAL GENERAL MEETING

MFRA – MERSEYSIDE FIRE AND RESCUE AUTHORITY

SLT – STRATEGIC LEADERSHIP TEAM

## Committee Meetings 2021/22

AGM	Thursday 10 <sup>th</sup> June 2021
Authority	Wednesday 30 <sup>th</sup> June 2021
Station Visit	Tuesday 6 <sup>th</sup> July 2021
Strategy Day	Thursday 15 <sup>th</sup> July 2021
Policy and Resources (preceded by a Learning Lunch)	Thursday 29 <sup>th</sup> July 2021
August Break	
Community Safety and Protection Committee (preceded by a Learning Lunch)	Thursday 2 <sup>nd</sup> September 2021
Scrutiny Committee	Thursday 9 <sup>th</sup> September 2021
MFRA Staff Engagement Day (TDA and SHQ)	Thursday 16 <sup>th</sup> September 2021
Audit Committee	Tuesday 28 <sup>th</sup> September 2021
Station Visit	Thursday 7 <sup>th</sup> October 2021
Authority (followed by Member Development Group)	Thursday 14 <sup>th</sup> October 2021
Station Visit	Thursday 11 <sup>th</sup> November 2021
Policy and Resources (preceded by a Learning Lunch)	Thursday 16 <sup>th</sup> December 2021
Christmas Break	
Station Visit	Tuesday 11 <sup>th</sup> January 2022
Scrutiny Committee	Thursday 13 <sup>th</sup> January 2022
Budget Strategy Day	Thursday 20 <sup>th</sup> January 2022
Community Safety and Protection Committee (preceded by a Learning Lunch)	Tuesday 1 <sup>st</sup> February 2022
Audit Committee	Thursday 10 <sup>th</sup> February 2022
Station Visit	Tuesday 15 <sup>th</sup> February 2022
Budget Authority (followed by Member Development Group)	Thursday 24 <sup>th</sup> February 2022
Scrutiny Committee	Thursday 3 <sup>rd</sup> March 2022
MFRA Staff Engagement Day (TDA and SHQ)	Thursday 10 <sup>th</sup> March 2022
Policy and Resources (preceded by a Learning Lunch)	Thursday 24 <sup>th</sup> March 2022
Community Safety and Protection Committee (preceded by a Learning Lunch)	Thursday 7 <sup>th</sup> April 2022
Scrutiny Committee	Tuesday 10 <sup>th</sup> May 2022
Authority	Thursday 19 <sup>th</sup> May 2022
Audit Committee	Thursday 2 <sup>nd</sup> June 2022
AGM	Thursday 9 <sup>th</sup> June 2022

This page is intentionally left blank

## Committee Meetings 2022/23

AGM	Thursday 9 <sup>th</sup> June 2022
Station Visit	Tuesday 5 <sup>th</sup> July 2022
Strategy Day	Thursday 14 <sup>th</sup> July 2022
Policy and Resources (preceded by a Learning Lunch)	Thursday 28 <sup>th</sup> July 2022
August Break	
Community Safety and Protection Committee (preceded by a Learning Lunch)	Thursday 1 <sup>st</sup> September 2022
Scrutiny Committee	Thursday 8 <sup>th</sup> September 2022
MFRA Staff Engagement Day (TDA and SHQ)	Thursday 15 <sup>th</sup> September 2022
Audit Committee	Tuesday 27 <sup>th</sup> September 2022
Station Visit	Thursday 6 <sup>th</sup> October 2022
Authority (followed by Member Development Group)	Thursday 13 <sup>th</sup> October 2022
Station Visit	Thursday 10 <sup>th</sup> November 2022
Policy and Resources (preceded by a Learning Lunch)	Thursday 15 <sup>th</sup> December 2022
Christmas Break	
Station Visit	Tuesday 10 <sup>th</sup> January 2023
Scrutiny Committee	Thursday 12 <sup>th</sup> January 2023
Budget Strategy Day	Thursday 19 <sup>th</sup> January 2023
Community Safety and Protection Committee (preceded by a Learning Lunch)	Tuesday 31 <sup>st</sup> January 2023
Audit Committee	Thursday 9 <sup>th</sup> February 2023
Station Visit	Tuesday 14 <sup>th</sup> February 2023
Budget Authority (followed by Member Development Group)	Thursday 23 <sup>rd</sup> February 2023
Scrutiny Committee	Thursday 2 <sup>nd</sup> March 2023
MFRA Staff Engagement Day (TDA and SHQ)	Thursday 9 <sup>th</sup> March 2023
Policy and Resources (preceded by a Learning Lunch)	Thursday 23 <sup>rd</sup> March 2023
Community Safety and Protection Committee (preceded by a Learning Lunch)	Thursday 6 <sup>th</sup> April 2023
Scrutiny Committee	Tuesday 9 <sup>th</sup> May 2023
Authority	Thursday 18 <sup>th</sup> May 2023
Audit Committee	Thursday 1 <sup>st</sup> June 2023
AGM	Thursday 8 <sup>th</sup> June 2023

This page is intentionally left blank



<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>10<sup>TH</sup> JUNE 2021</b>	<b>REPORT NO:</b>	<b>CFO/029/21</b>
<b>PRESENTING OFFICER</b>	<b>ACTING MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>GEMMA SUNG</b>
<b>OFFICERS CONSULTED:</b>	<b>ALISON SHANNON</b>		
<b>TITLE OF REPORT:</b>	<b>MEMBERS ALLOWANCE PAYMENTS 2020-21</b>		
<b>APPENDICES:</b>	<b>APPENDIX A:</b>	<b>BREAKDOWN OF MEMBERS ALLOWANCE PAYMENTS FOR FINANCIAL YEAR 2020/21</b>	

### Purpose of Report

1. To advise the Authority of payments made to Members in the form of allowances, during the financial year 2020/21.

### Recommendation

2. That Members note the information contained within the report and at Appendix A.

### Introduction and Background

3. Regulation 15 of the Local Authorities (Members Allowances) (England) Regulations 2003, requires that the total sums paid to each Member for Basic, Special Responsibility, Travel, Subsistence and Co-optees Allowance be published. Appendix A (attached) shows the total amount of allowances paid to each Member during the financial year 2020/21, including on costs. It also provides a breakdown of those total allowance payments into allowance type.
4. Appendix A includes clarification notes where individual Members have left or joined the Authority, or changed roles during the course of the last Financial Year.
5. For clarity, the Authority appointed an Independent Person who, with effect from 1<sup>st</sup> October 2013, who has carried out the duties of a Co-opted Member in relation to Independent Scrutiny. He is currently appointed to both the Audit and Scrutiny Committees, as well as the role of an Independent Person to consider any complaints against a Member of the Authority (should any be made) in relation to a breach of the Members Code Of Conduct and any allegations (should any be made) in relation to a Relevant Officer as part of an Independent Panel in accordance with the Disciplinary Procedure for Relevant Officers . Invoices are submitted by the Independent Person for any works conducted in relation to

these roles, which are then checked by the Democratic Services Manager prior to approval being given for payment. Appendix A also includes payments for duties conducted by the Independent Person in performing these roles, which were paid at a daily rate of £50 during 2020/21.

6. In addition to the total amount of allowances paid to each individual Member (including all on costs - tax and national insurance deductions etc.), Appendix A also details the amount of Basic and Special Responsibility Allowance (SRA) payments, made to Members appointed to special roles within the Authority. The payments reported are for the Financial Year 2020/21, which spans two Municipal Years – 2019/20 and 2020/21; and some Members may have left or joined the Authority, or changed roles, at various stages throughout the period reported.
7. Members appointed to specialist roles only receive an SRA payment for one role (usually the role with the largest responsibility), regardless of the number of specialist roles they are appointed to, in line with the Members Scheme of Allowances.
8. Also included within Appendix A are reimbursements for mileage, overnight accommodation, travel and subsistence allowances, which have been claimed by individual Members through the Authority's Scheme of Allowances. It is important to note that these are reimbursements for time and expenses incurred by Members; and are not payments in relation to travel and event bookings made directly by the Authority.
9. A separate column has been included within Appendix A to show any additional costs per Member, which have been incurred directly by the Authority. This includes travel and accommodation booked and paid directly by the Authority.
10. It is important to note that the additional payments made through the Scheme of Members Allowances; and costs incurred directly by the Authority, are normally higher for those Members in receipt of Special Responsibility Allowances, particularly the Chair of the Authority, compared to those of other Members, due to the amount of events they attend on behalf of the Authority; and associated travelling costs.
11. Specifically, Councillor Les Byrom – Chair of the Authority, attends meetings of the Local Government Association's Fire Commission and Fire Services Management Committee, on behalf of the Authority, and the Strategic Resilience Board all of which ordinarily take place in London.
12. It is important to note however that there has been a significant reduction in the amount of additional payments made through the Scheme of Allowances, as a direct result of the Covid-19 Pandemic, with most meetings and events taking place remotely, resulting in reduced travel, accommodation, subsistence and conference costs.

---

**Equality and Diversity Implications**

---

13. There are no direct equality or diversity implications arising out of the report.

---

**Staff Implications**

---

14. Members Allowance Claims are checked against attendance at events; and approved by the Democratic Services Manager for payment.

---

**Legal Implications**

---

15. Members have an approved Members Allowance Scheme and are therefore entitled to payment of allowances and reimbursement of expenses as set out within that scheme.
16. The publishing of payments to Members ensures the Authority remains compliant with its legal duties.

---

**Financial Implications & Value for Money**

---

17. The rates of allowances are determined by the Authority and are reviewed periodically.
18. The total cost of Members Payments for 2020/21, under the Scheme of Members Allowances, was £203,548.78
19. The total costs allocated to the Authority for the 2020/21 financial year, was £211,852.65.

---

**Risk Management, Health & Safety, and Environmental Implications**

---

20. Members of the Authority are required to use the most efficient method of transport when travelling on Authority business.

---

**Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters***

---

21. Members of the Authority are provided with basic allowances to cover the costs of time, travel, subsistence and responsibility. This provides Members with the opportunity and ability to attend events to represent the Authority, which contributes to effective decision making for the benefit of the community.

---

**BACKGROUND PAPERS**

---

---

**GLOSSARY OF TERMS**

---

MFRA – MERSEYSIDE FIRE AND RESCUE AUTHORITY

This page is intentionally left blank

MERSEYSIDE FIRE & RESCUE AUTHORITY MEMBERS ALLOWANCE PAYMENTS 2020/21 (FINANCIAL YEAR)

Approximate Breakdown of Allowance Payments by Role (Including On-Costs)												Total Allowance Payments Per Member (including on-costs)	Additional Payments Through Scheme of Allowances					Additional Costs (Incurred directly by MFRA) £	TOTAL COST PER MEMBER £	Comments
Name	Basic £	Chair £	Vice-Chair £	Sub-Chair £	Lead Member £	Committee Chair £	Total £	Members NI	Members App Levy	Co-Opee £ (Invoiced)	Independent £ (Invoiced)	Total Allowances £	Mileage - £ (through Scheme of Allowances)	Travel £ (through Scheme of Allowances)	Accommodation £ (through Scheme of Allowances)	Subsistence £ (through Scheme of Allowances)	Total Expenses £ (Paid Through Scheme of Allowances)			
ARNALL	1,569.17						1,569.17		7.84			1,577.01					0.00		1,577.01	
BARRINGTON	8,070.00						8,070.00		40.32			8,110.32					0.00		8,110.32	
BERRY	3,990.17						3,990.17		19.94			4,010.11					0.00		4,010.11	
BRAME	4,079.83						4,079.83	90.78	20.39			4,191.00					0.00		4,191.00	
BYROM	8,070.00	16,140.00					24,210.00	2138.13	121.42			26,469.55	67.60	149.20			216.80	150.00	26,836.35	
COLEMAN	8,070.00						8,070.00		40.32			8,110.32					0.00		8,110.32	
FINNERAN	6,500.83						6,500.83		32.48			6,533.31					0.00		6,533.31	
GRACE	8,070.00				2,018.04		10,088.04	180	50.4			10,318.44					0.00	150.00	10,468.44	
KENNY	8,070.00		12,105.00				20,175.00	1572	100.92			21,847.92					0.00		21,847.92	
KNIGHT	8,070.00						8,070.00		40.32			8,110.32					0.00		8,110.32	
MAKINSON	8,070.00						8,070.00		40.32			8,110.32					0.00		8,110.32	
MALONEY	8,070.00		4,035.00				12,105.00	458.28	60.48			12,623.76					0.00		12,623.76	
O'KEEFFE	8,070.00						8,070.00		40.32			8,110.32					0.00		8,110.32	
PRESTON	8,070.00						8,070.00		40.32			8,110.32					0.00		8,110.32	
RENNIE	8,070.00				2,018.04		10,088.04	180	50.4			10,318.44					0.00		10,318.44	
ROBERTS J	8,070.00		12,105.00				20,175.00	1572	100.92			21,847.92					0.00		21,847.92	
SPURRELL	8,070.00						8,070.00		40.32			8,110.32					0.00		8,110.32	
STAPLETON	8,070.00						8,070.00		40.32			8,110.32					0.00		8,110.32	
THOMPSON	8,070.00						8,070.00		40.32			8,110.32					0.00		8,110.32	
TWEED	8,070.00				2,018.04		10,088.04	180	50.4			10,318.44					0.00		10,318.44	
Wheeler							0.00				500.00	500.00					0.00		500.00	
OTHER COSTS (not attributable to any Member)							0.00					0.00					0.00	7,787.07	7,787.07	
<b>TOTAL</b>	<b>145,260.00</b>	<b>16,140.00</b>	<b>28245</b>	<b>0</b>	<b>6054.12</b>	<b>0</b>	<b>195,699.12</b>	<b>6,371.19</b>	<b>978.47</b>	<b>0.00</b>	<b>500.00</b>	<b>203,548.78</b>	<b>67.60</b>	<b>149.20</b>	<b>0.00</b>	<b>0.00</b>	<b>216.80</b>	<b>8,087.07</b>	<b>211,852.65</b>	

This page is intentionally left blank

<b>MERSEYSIDE FIRE AND RESCUE SERVICE</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>10 JUNE 2021</b>	<b>REPORT NO:</b>	<b>CFO/034/21</b>
<b>PRESENTING OFFICER</b>	<b>ACTING MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>GEMMA SUNG</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM</b>		
<b>TITLE OF REPORT:</b>	<b>SCHEME OF MEMBERS ALLOWANCES 2021-221/22</b>		

<b>APPENDICES:</b>	<b>APPENDIX A:</b>	<b>DRAFT MERSEYSIDE FIRE &amp; RESCUE AUTHORITY SCHEME OF MEMBERS' ALLOWANCES</b>
	<b>APPENDIX B:</b>	<b>MEMBERS ALLOWANCE PAY RATES</b>
	<b>APPENDIX C:</b>	<b>REVISED MEMBERS' ALLOWANCE PAY RATES 2021/22</b>

### **Purpose of Report**

1. To request that the Authority reviews the current Scheme of Members' Allowances; and makes recommendations on any changes it wishes to make to the Scheme.

### **Recommendation**

2. That Members;
  - a. Confirm continuation with its current Members' Allowance Scheme, or:
  - b. Identify any variations to the Scheme they may wish to implement, in line with the structure of the Authority (which is being considered as a separate report on this agenda).
  - c. Note that any inflationary increase to the Authority's Scheme of Members' Allowances is normally aligned to the previous year's Firefighters' pay. However, at the Authority's Budget meeting on 25<sup>th</sup> February 2021 Members resolved to freeze all 2021/22 member allowances for the thirteenth consecutive year.
  - d. Confirm their intention to either accept or reject any pay increases in line with Firefighters Pay Award for 2021/22 which would apply to 2022/23 allowances.

- e. Consider and confirm if they are content for the combined roles of Co-opted Member:
- i. to be appointed to both the Audit Committee and Scrutiny Committee, as a non-voting member (subject to approval of Structure).
  - ii. to continue to consider any complaints against Members, alleged to have breached the Members' Code of Conduct and Relevant Officers under the Relevant Officers Disciplinary Procedure on the Independent Panel as the "Independent Person"
  - iii. To be paid for conducting such roles following submission and verification of invoices, at a daily attendance rate of £50 (as and when required) as is the current case.

---

### **Introduction and Background**

---

3. The Authority's draft Scheme of Members' Allowances for 2021/22 is attached at Appendix A. The Scheme adopted by the Authority on 22<sup>nd</sup> November 2004, was approved to take effect on 1<sup>st</sup> April 2005 and was subsequently confirmed at the Annual Meetings in 2006, 2007 and 2008.
4. In 2009 the Authority agreed an amendment to the Scheme of Allowances to include the addition of a Special Responsibility Allowance (SRA) of 50% of the basic allowance, for Members appointed as Deputy Group Leaders, should their group wish to appoint a Member to that position, on the proviso that such allowance would not be payable where an SRA is also payable for performing the role of Vice Chair of the Authority.
5. The Authority also agreed that Members entitled to SRA's for the role of "Chair" or additional responsibilities such as Lead Member, would only be entitled to receive one SRA payment.
6. As the SRA payment for a Deputy Group Leader had not been paid since 2011/12; and as the proportion of Opposition Members appointed to the Authority did not form any single political group, it was agreed by the Authority at the AGM on 11<sup>th</sup> June 2015, that the SRA payment for Deputy Group Leader, be removed from the Scheme of Members Allowances for 2015/16.
7. In addition, it was also agreed at the AGM 11<sup>th</sup> June 2015 that the SRA payment for Opposition Spokesperson, only be paid to one Opposition Member.
8. A slight amendment was made to the Scheme of Allowances for 2018/19, in relation to Schedule 1 – "Special Responsibility Allowances". It was agreed that the "Sub-Committee Chair" Allowance be removed and 2 levels of "Chair Allowance" created. For Committees comprising of 7 or more Members, the Chair's Allowance will be paid at a higher rate of £6,035p.a. For Committees of



6 Members or less, the Chair's Allowance will be paid at the lower rate of £4,053p.a. (the same rate as the previous "Sub-Committee Chair" Allowance).

9. No further changes were made to the Members' Allowance Scheme in 2020/21.
10. Members will recall that the Localism Act 2011 requires that an Independent Person (IP) be appointed to consider any complaints made against Elected Members. The Authority considered entering into a shared arrangement with another Authority however it was not possible for practical reasons to achieve this outcome.
11. At the Annual Meeting 2013 the Authority considered and approved a job description for the role of Independent Person, as although no complaints have been received over the past few years, the importance of having someone available to undertake this role if required was recognised.
12. Furthermore, Members will recall that the National Framework for England requires Fire and Rescue Authorities to involve their communities in planning and to have effective scrutiny arrangements in place with independence in the process. In 2012 the LGA Peer Challenge report recommended that more independent scrutiny would give increased public assurance. A number of options were considered to provide this type of independent scrutiny, including sharing arrangements with other FRA's. However, most other FRA's had their own arrangements in place and therefore, the Authority approved at its Annual Meeting 2013, the role and responsibilities for an appointed Co-opted Member to sit on the then Performance and Scrutiny Committee, without voting rights, to provide an impartial and independent view to this Committee.
13. Since October 2013, Mr Anthony Boyle has been undertaking the roles of Independent Person and Co-opted Member under the title of "Independent Person".
14. The Authority is requested to consider whether the combined undertaking of these roles by the appointed individual has had any significant effect upon the Authority, which may justify terminating the arrangement; and if there is no just cause, confirm the continuation of the combined arrangements for 2021/22.
15. It is proposed that Mr Boyle continues to be Co-opted onto both the Audit Committee and the Scrutiny Committee in the same capacity as he is at present.
16. The Scheme provides for payment of a basic allowance to all Councillors calculated at £8,070 from 1<sup>st</sup> April 2010 (in line with Firefighters pay award of the previous July). There was a pay freeze for Firefighters from 2010 until 2012; and 1% increases to Firefighters pay each year since. However, each year, the Authority has resolved not to take these 1% increases to their allowances.
17. Furthermore, Firefighters were awarded a 2% pay increase in July 2020, however at the Authority's Budget meeting on 25<sup>th</sup> February 2021, Members

resolved to freeze all 2021/22 Member allowances for the thirteenth consecutive year.

18. Members will consider the Structure of the Authority for 2021/22 within a separate report on the Agenda.

---

### **Equality and Diversity Implications**

---

19. All Members are entitled to the same Basic Allowance; and SRA's are paid to Members for performing approved special responsibilities by reference to proportions of basic allowance.

---

### **Staff Implications**

---

20. There are no staff implications arising directly from this report. This report relates to Members Allowances only.

---

### **Legal Implications**

---

21. The Local Government Act 1972 and the Members Allowances (England) Regulations 2003, provide that a Scheme of Allowances is required and reviewed every year.

---

### **Financial Implications & Value for Money**

---

22. The Authority is fully committed to reducing its own costs as the organisation faces up to the Government cuts and what that means for local services. The Authority had already made reductions in its allowances of £24,000 and the Authority will again freeze all member allowances for the thirteenth consecutive year.
23. The Members Allowance Budget for 2020/21 is now set at £199,900 plus £8,100 for national insurance costs.

---

### **Risk Management, Health & Safety, and Environmental Implications**

---

24. There are no risk management, health and safety, or environmental implications arising directly from this report.

---

### **Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters***

---

25. Payment of allowances at reasonable rates will ensure that Members are able to effectively perform their functions, in leading and setting the mission, policies and objectives for the Authority to achieve.

---

### **BACKGROUND PAPERS**

---

---

**GLOSSARY OF TERMS**

---

<b>IP</b>	Independent Person
<b>FRA'S</b>	Fire & Rescue Authorities
<b>LGA</b>	Local Government Association
<b>SRA</b>	Special Responsibility Allowance

This page is intentionally left blank

## **Scheme of Members Allowances**

1. This Scheme is made on the 10<sup>th</sup> day of June 2021, in accordance with the Local Authorities (Members Allowances) England Regulations 2003 for the payment of Members Allowances.
2. This Scheme amends the previous Scheme made by the Authority with effect from the 1<sup>st</sup> day of April 2005, as subsequently amended on 1<sup>st</sup> November 2008, 15<sup>th</sup> June 2009, 11<sup>th</sup> June 2013, 26<sup>th</sup> June 2014, 11<sup>th</sup> June 2015, 14<sup>th</sup> June 2016, 13<sup>th</sup> June 2017, 14<sup>th</sup> June 2018, 13<sup>th</sup> June 2019 and 11<sup>th</sup> June 2020. This Scheme shall continue until subsequently varied or revoked by the Authority.
3. Basic Allowance
  - 3.1 The Authority shall pay a Basic Allowance to each Member of the Authority who is a Councillor for each year.
  - 3.2 Subject to paragraphs 3.3, 7, 8, and 12 the Basic Allowance payable in respect of each year commencing on 1st April, shall be £8,070.
  - 3.3 Where a Member's term of office begins or ends at any time other than at the beginning or end of a year, their entitlement shall be to a proportion of the Basic Allowance that represents the number of days within that year, to which they are appointed as a Member of the Authority.
4. Special Responsibility Allowance
  - 4.1 Subject to paragraphs 4.2, 7, 8, and 12 the Authority shall pay to a Member of the Authority who is a Councillor and who has the Special Responsibility specified in column one of Schedule 1 to this scheme, a Special Responsibility Allowance in respect of each year, , of a sum specified in the corresponding part of column 2 of Schedule1.
  - 4.2 Should a Member be appointed to, or removed from a role carrying a Special Responsibility Allowance, at any point other than at the beginning or end of the year, their entitlement shall be to a proportion of the Special Responsibility Allowance, that represents the number of days within the year, to which they are appointed in that role.

5. Travelling and Subsistence Allowance

5.1 Subject to paragraphs 8, 9, and 12 the Authority shall pay to each Member of the Authority who is a Councillor, an allowance in respect of travelling and subsistence undertaken in connection with, or relating to the duties specified in paragraph 5.2, in respect of matters specified in column 1 of the second Schedule at the rates specified in the corresponding part of column 2 of the second Schedule.

5.2 The duties referred to in paragraph 5.1 (for which a travelling and subsistence allowance is payable) are:-

- (a) The attendance at a meeting of, the Authority, any sub – committee of the Authority, any other body to which the Authority makes appointments or nominations, or any committee or sub-committee of any such a body;
- (b) The attendance at any other meeting, the holding of which is authorised by the Authority, or a committee or sub-committee of the Authority, or a joint committee of the Authority and one or more Local Authority within the meaning of section 270 (1) of the Local Government Act 1972, or a sub-committee of such a joint committee provided that:-
  - (i) Where the Authority is divided into two or more political groups, it is a meeting to which members of at least two such groups have been invited, or
  - (ii) if the Authority is not so divided, it is a meeting to which at least two members of the Authority have been invited.
- (c) The attendance at a meeting of any association of authorities of which the Authority is a member.
- (d) The attendance at any conference or meeting approved by the Authority (or the Monitoring Officer, acting under delegated powers on behalf of the Authority).whether inside or outside of the United Kingdom, for the purpose of discussing any matter which relates to the interests or the functions of the Authority, or to any function of Local Authorities in which the Authority has any interest.
- (e) The attendance at seminars and presentations arranged by the Chief Fire Officer, the Monitoring Officer, or the Authority, which relate to the interests or the functions of the Authority, or to any function of local authorities in which the Authority has an interest.
- (f) Making official and courtesy visits, whether inside or outside the United Kingdom, on behalf of the Authority, as approved by the Authority, or a Committee of the Authority (or the Monitoring Officer acting under delegated powers on behalf of the Authority.)

6. Independent Persons Allowance

The Authority shall pay an Independent Person Allowance, in respect of attendance at conferences and meetings, to any individual who is not a Member of the Authority, but who is appointed as a co-opted member of a Committee (or Sub-Committee) of the Authority.

Subject to paragraphs 6.3, 7, 8, 9, and 12, the Independent Person's Allowance, payable in respect of each year commencing on 1<sup>st</sup> April 2017, shall be to a sum of £50 for each day of attendance at meetings or events.

7. Suspension of Allowances

Where a Member of the Authority or of a Committee of the Authority (as the case may be) is suspended from their responsibilities or duties as a Member of the Authority in accordance with part III of the Local Government Act 2000 or regulations made under that part, then the Authority may withhold:-

- (a) the part of the Basic Allowance payable to that Member in respect of the period for which they are suspended or partially suspended; and/or
- (b) the part of the Special Responsibility Allowance payable to that Member in respect of the responsibilities or duties from which they are suspended or partially suspended; and/or
- (c) any Travelling and Subsistence Allowance payable to the Member in respect of the responsibilities or duties from which they are suspended or partially suspended; and/or
- (d) any Independent Person's Allowance payable to that Member in respect of the responsibilities or duties from which they are suspended or partially suspended.

8. Repayment of Allowances

Where payment of any allowance has already been made in respect of any period during which the Member concerned is:-

- (a) suspended or partially suspended from their responsibilities or duties as a Member of the Authority in accordance with Part III of the Local Government Act 2000 or regulations made under that part; or
- (b) Ceases to be a Member of the Authority; or
- (c) is in any other way not entitled to receive the allowance in respect of that period.

The Authority may require that such part of the allowance as relates to any such period, be repaid to the Authority.

9. No Duplication of Payment

Where a Member of the Authority is also a Member of another authority, that Member may not receive allowances from more than one authority in respect of the same duty.

10. Elections to Forgo Allowances

A person may, by notice in writing given to the Monitoring Officer, elect to forgo their entitlement, or any part of their entitlement to allowances.

11. Claims and Payments

11.1 Claims for Travelling and Subsistence Allowances, and Independent Person's Allowances must be made by the person to whom they are payable within 6 months of the date from which entitlement to such allowances arises.

11.2 The Authority has the right to refuse payment where the allowance is not claimed within the period specified in paragraph 11.1.

12. Annual Adjustment of Allowances

The allowances specified in paragraphs 3 (Basic Allowance), 4 (Special Responsibility Allowance), 5 (Travelling and Subsistence Allowance) and 6 (Independent Person's Allowance), shall be increased annually with effect from the 1<sup>st</sup> day of April in each year, by the same proportion as the increase in salary of firefighting staff in the Service in the year prior to 1<sup>st</sup> April of the year for which an allowance under this scheme is payable, unless The Authority resolves otherwise.



13. Date from which Amendments to the Scheme are to apply

Where an amendment is to be made to this scheme by the Authority, which affects an allowance payable for the year in which the amendment is made, entitlement to such allowance as amended, shall apply with effect from the date of approval of the amendment by the Authority.

## Schedule 1 – Special Responsibility Allowances

<u>Column 1</u> (Special Responsibility)	<u>Column 2</u> (Amount of Special Responsibility Allowance)
Chairman	£16,140
Vice Chairman (incl. Chair Of Committee)	£12,105
Opposition Spokesperson	£2,018
Committee Chair for Committees of 7 Members or more (excl. Authority Chair/ Vices & Leaders/Opposition Spokesperson)	£6,053
Committee Chair for Committees of 6 Members or less	£4,035
Additional Responsibility (for Lead Members and Opposition Spokesperson)	£2,018

Only one additional Responsibility Allowance payable regardless of how many additional responsibility roles held.

## Schedule 2 – Travelling & Subsistence Allowances

### 1. Travel Allowance

<u>Column 1</u> (type of travel)	<u>Column 2</u> (rates of allowance)
Travel by public transport	A sum equal to the costs of the ordinary fare, or in the case of travel by rail the cost of first class travel
Travel by motor cycle	22.6p per mile
Travel by motor vehicle	56.4p per mile
Travel by taxi	A sum equal to the actual fare and any reasonable gratuity paid.
Travel by air	A sum equal to the cost of the ordinary fare, or where travelling on a flight scheduled to take at least 5 hours a sum equal to the cost of club class

### 2. Subsistence Allowance

<u>Column 1</u> (absence period)	<u>Column 2</u> (rates of allowance)
-------------------------------------	---

#### 2.1 Where the Authority does not pay for overnight accommodation direct and:

Absence overnight in UK from usual place of residence (other than in London)	£148.00
Absence overnight from usual place of residence in London (i.e. the city of London, Boroughs of London, Greenwich and Fulham, Islington, Kensington and Chelsea, Lambeth, Lewisham, Southwall, Tower Hamlets, Wandsworth and Westminster)	£180.00
Absence overnight outside the U.K.	£180.00

2.2 Subject to paragraph 2.3. where the Authority pays for overnight accommodation direct and there is absence from the usual place of residence, a subsistence allowance of £56.82 in London and £44.77 elsewhere, is payable. Where the absence does not involve an absence overnight:-

(a) Breakfast Allowance

Absence of more than 4 hours                      £9.01  
Before 11a.m.

(b) Lunch Allowance

Absence of more than 4 hours,                      £13.55  
Including the period of 12noon and 2pm

(c) Tea Allowance

Absence of more than 4 hours                      £5.64  
Including 3pm to 6pm

Or;

(d) Evening Meal Allowance

Absence of more than 4 hours                      £16.92  
ending after 7pm

2.3 Where meal(s) are provided free of charge to the Member their entitlement to an allowance will not apply in respect of the meal period for which such meal or meals are provided without charge to the Member.

## Member Allowances 2020/21

Original Source: CFO/117/05

Revised 'Scheme of Members Allowances' 01/11/08

Increased each 1<sup>st</sup> April in line with Firefighters Pay Award of previous July

Increase applied 01/04/10 = 1.25%

<b>Basic Allowance</b>	<b>Annual</b>	<b>New Monthly</b>
Members	£ 8,070	£ 672.50

	<b>Daily Attendance Rate</b>
Co-Optee / Independent Person	£50 payable via Invoice

<b>Special Responsibility Allowance</b>	<b>Annual</b>	<b>New Monthly</b>
(payable to certain Members in addition to Basic)		
Chair	£16,140	£ 1,345.00
Vice Chair (incl. Chair of Committee)	£12,105	£ 1,008.75
Opposition Spokespersons	£ 2,018	£ 168.17
Committee Chair for Committees of 7 Members or more (excl. Authority Chair/ Vices & Leaders)	£ 6,053	£ 504.42
Committee Chair for Committees of 6 Members or less	£ 4,035	£ 336.25
Additional Responsibility (unless in receipt of any other special responsibility)	£ 2,018	£ 168.17

## Members Travel & Subsistence Allowances 2020/21

<b>Travel</b>	<b>New Allowance</b>
Motor Cycle (pence per mile)	22.6
Motor Vehicle (pence per mile)	56.4

### Overnight Subsistence

Overnight Stay – London & Approved Conferences	£180.00
Overnight stay outside London	£148.00

***If accommodation is paid directly by the Authority the allowance is reduced to:***

London & Approved Conferences	£56.82
Outside London	£44.77

### Day Subsistence

Breakfast	£ 9.01
Lunch	£13.55
Tea	£ 5.64
Evening Meal	£16.92
Full day subsistence	£39.49

***Where any meal is provided free of charge, the corresponding allowance will not be payable***

This page is intentionally left blank

## Member Allowances Pay Rate 2020/21

- ◆ Original source : CFO/117/05
- ◆ Revised 'Scheme of Members Allowances' 01/11/08
- ◆ Increased each 1st April in line with Firefighters Pay Award of previous July
- ◆ Increase applied 01/04/10 = 1.25%
- ◆ Pay Increase in line with Firefighters Pay Award July 2012 Rejected by Authority 11th June 2013
- ◆ Pay Increase in line with Firefighters Pay Award July 2013 Rejected by Authority 26th June 2014
- ◆ Pay Increase in line with Firefighters Pay Award July 2014 Rejected by Authority 11th June 2015
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2015 at AGM 11th June 2015
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2016 at AGM 14th June 2016
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2017 at AGM 13th June 2017
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2018 at AGM 14th June 2018
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2019 at AGM 13th June 2019

£

<b>Basic Allowance</b>	<b>Annual</b>	<b>New Monthly</b>
Members	£8,070	672.50

### **Special Responsibility Allowance**

**Annual New Monthly**

Payable to certain Members in addition to Basic.

£

Chair	£16,140	1345.00
Vice Chair ( <i>including Chair of Committee</i> )	£12,105	1008.75
Opposition Spokesperson	£2,018	168.17
Committee Chair for Committees of 7 Members or more ( <i>Excluding Authority Chair/Vices &amp; Leaders</i> )	£6,053	336.25
Committee Chair for Committees of 6 Members or less	£4,035	336.25
Additional Responsibility ( <i>unless in receipt of any other special responsibility</i> )	£2,018	168.17

### Members Travel & Subsistence Allowances 2019/20

#### **Travel**

#### **New Allowance**

Motor Cycle	p. per mile	22.6
Motor Vehicle	p. per mile	56.4

#### **Overnight Subsistence:**

£

Overnight stay London & approved conferences	180.00
Overnight stay outside London	148.00

**If accommodation is paid directly by the Authority the allowance is reduced to:**

£

London & approved conferences	56.82
Outside London	44.77

#### **Day Subsistence:**

£

Breakfast	9.01
Lunch	13.55
Tea	5.64
Evening Meal	16.92
Full day subsistence	39.49

### Independent Person Expenses 2019/20

£

Daily Attendance Rate

50.00

*Where any meal is provided free of charge, the corresponding allowance will not be payable.*

This page is intentionally left blank



## Proposed Member Allowances Pay Rate 2021/22

- ◆ Original source : CFO/117/05
- ◆ Revised 'Scheme of Members Allowances' 01/11/08
- ◆ Increased each 1st April in line with Firefighters Pay Award of previous July
- ◆ Increase applied 01/04/10 = 1.25%
- ◆ Pay Increase in line with Firefighters Pay Award July 2012 Rejected by Authority 11th June 2013
- ◆ Pay Increase in line with Firefighters Pay Award July 2013 Rejected by Authority 26th June 2014
- ◆ Pay Increase in line with Firefighters Pay Award July 2014 Rejected by Authority 11th June 2015
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2015 at AGM 11th June 2015
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2016 at AGM 14th June 2016
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2017 at AGM 13th June 2017
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2018 at AGM 14th June 2018
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2019 at AGM 13th June 2019
- ◆ Confirmed intention to reject any Pay Increase in line with Firefighters Pay Award 2020 at AGM 11th June 2020

£

<u>Basic Allowance</u>	<u>Annual</u>	<u>New Monthly</u>
Members	£8,070	672.50

### Special Responsibility Allowance

Annual New Monthly

Payable to certain Members in addition to Basic.

£

Chair	£16,140	1345.00
Vice Chair ( <i>including Chair of Committee</i> )	£12,105	1008.75
Opposition Spokesperson	£2,018	168.17
Committee Chair for Committees of 7 Members or more ( <i>Excluding Authority Chair/Vices &amp; Leaders</i> )	£6,053	336.25
Committee Chair for Committees of 6 Members or less	£4,035	336.25
Additional Responsibility ( <i>unless in receipt of any other special responsibility</i> )	£2,018	168.17

### Members Travel & Subsistence Allowances 2020/21

#### Travel

New Allowance

Motor Cycle	p. per mile	22.6
Motor Vehicle	p. per mile	56.4

#### Overnight Subsistence:

£

Overnight stay London & approved conferences	180.00
Overnight stay outside London	148.00

**If accommodation is paid directly by the Authority the allowance is reduced to:**

£

London & approved conferences	56.82
Outside London	44.77

#### Day Subsistence:

£

Breakfast	9.01
Lunch	13.55
Tea	5.64
Evening Meal	16.92
Full day subsistence	39.49

### Independent Person Expenses 2020/21

£

Daily Attendance Rate	50.00
-----------------------	-------

*Where any meal is provided free of charge, the corresponding allowance will not be payable.*

This page is intentionally left blank

<b>MERSEYSIDE FIRE &amp; RESCUE SERVICE</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	10 <sup>TH</sup> JUNE 2021	<b>REPORT NO:</b>	<a href="#">CFO/035/21</a>
<b>PRESENTING OFFICER</b>	<b>ACTING MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	RIA GROVES	<b>REPORT AUTHOR:</b>	GEMMA SUNG
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM</b>		
<b>TITLE OF REPORT:</b>	<b>QUESTIONS ON DISCHARGE OF FUNCTIONS</b>		

<b>APPENDICES:</b>	
--------------------	--

### Purpose of Report

1. To request that the Authority nominates a Member from each of the five constituent District Councils as the Members responsible for answering questions in their Council on the discharge of the functions of the Authority.

### Recommendation

2. That the Authority nominates five Members (one from each constituent District Council) as the Members responsible for answering questions within their Council on the discharge of the functions of Authority.

### Introduction and Background

3. There is a requirement under Section 41 of the Local Government Act 1985 for the Authority to nominate Members of the Authority from each constituent District Council to answer questions within their Council on the discharge of the functions of the Authority.
4. It is at the discretion of the Authority who it appoints in each case for this purpose and there is no requirement that the nominee should be from the main political group either on the Authority.
5. The Members nominated in 2020/21 under Section 41 were:-
 

Knowsley	-	Councillor Steff O’Keeffe
Liverpool	-	Councillor James Roberts
Sefton	-	Councillor Les Byrom
St. Helens	-	Councillor Lisa Preston
Wirral	-	Councillor Brian Kenny
6. Members are requested to make nominations for 2021/22.

---

**Equality and Diversity Implications**

---

7. There are no direct equality and diversity implications from this report. However, it is considered that having one Member from each District Council appointed to answer questions on the discharge of functions, ensures accurate and consistent information is passed on to each District across Merseyside.

---

**Staff Implications**

---

8. There are no staff implications in relation to this report, as the report relates to Members of the Authority.

---

**Legal Implications**

---

9. By appointing Authority Members from each District Council to answer questions on the discharge of functions, the Authority will be meeting their requirement under Section 41 of the Local Government Act 1985.

---

**Financial Implications & Value for Money**

---

10. There are no financial implications arising from this report.

---

**Risk Management, Health & Safety, and Environmental Implications**

---

11. There are no risks, health and safety or environmental implications arising from this report.

---

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

---

12. Having Authority Members appointed to answer questions in their Council ensures that accurate, relevant information is fed back to the community to confirm what the Authority does in support of achieving the Authority's mission.

---

**BACKGROUND PAPERS**

---

---

**GLOSSARY OF TERMS**

---

<b>MERSEYSIDE FIRE AND RESCUE SERVICE</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL REPORT)</b>		
<b>DATE:</b>	<b>10<sup>TH</sup> JUNE 2021</b>	<b>REPORT NO:</b>	<b>CFO/036/21</b>
<b>PRESENTING OFFICER</b>	<b>ACTING MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>GEMMA SUNG</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM</b>		
<b>TITLE OF REPORT:</b>	<b>APPOINTMENT OF MEMBERS TO OUTSIDE BODIES</b>		

<b>APPENDICES:</b>	
--------------------	--

### **Purpose of Report**

1. To inform the Authority of the outside organisations to which it is currently affiliated; and to request where appropriate, confirmation of continuing the affiliation for 2021/22 and the appointment of representatives to those organisations.

### **Recommendation**

2. That Members;
  - a) Note current affiliations to outside bodies;
  - b) Approve the continued affiliation with each of the organisations specified in this report; and
  - c) Approve as appropriate, appointments of Members to each of the outside organisations as the Authority's representatives.

### **Introduction and Background**

3. (A) Local Government Association

At the 2020 Annual General Meeting Councillors Byrom, Kenny and Roberts were appointed as the representatives on the Fire Services Commission.

All Fire and Rescue Authorities in full or corporate membership of the Local Government Association have the right to representation and voting on the Fire Services Commission in accordance with the LGA Governance Framework. Additional members from fire and rescue authorities appointed as necessary by the political groups to ensure political balance on The Fire Services Commission.

Members agreed at the Authority meeting on the 20<sup>th</sup> May 2021 that Members subscription and membership to the LGA will continue until Members determine otherwise. The current subscription cost for 2021/22 is £10,882.32

**Members are asked to confirm who the representatives appointed to the Fire Services Commission for 2021/20 will be; and whether the Authority agrees to meet any costs related to Members attendance at associated meetings.**

(B) North West Employers Organisation

The Authority is a member of the North West Local Authorities Employers Organisation. For 2020/21 the cost of this membership was £2,736.78.

For 2021/22, the cost of affiliation remains at £2,736.78.

**Nomination for the position of appointed representative for 2021/22 is now requested.**

(C) North West Fire and Rescue Advisory Forum

The North West Fire and Rescue Advisory Forum was established in April 2014 following the disbanding of the North West Partnership Board. This Forum elected to have a Membership of Chairs, Vice-Chairs, Opposition Spokespersons and Chief Fire Officers.

The Members currently representing the Authority are Councillor Byrom and Councillor Rennie.

**Members are requested to confirm appointment to this Forum for 2021/22.**

(D) Association of Metropolitan Fire & Rescue Authorities

The Authority appointed Councillor Byrom to the Association of Metropolitan Fire & Rescue Authorities in 2020/21.

**Members are requested to confirm appointment to this Association for 2021/22.**

(E) Liverpool City Region Liverpool Enterprise Platform now known as the Growth Platform

Merseyside Fire and Rescue Authority has membership of this Organisation which is attended by a Senior Officer of the Authority.

The cost of this membership for 2021/22 is £4,700.

**Members are asked to confirm membership to this organisation for 2021/22.**

(F) Merseyside Community Safety Partnership / Safer Merseyside Partnership

At its Annual Meeting on 1<sup>st</sup> March 2019, the Merseyside Community Safety Partnership approved the Terms of Reference for the Safer Merseyside Partnership for 2019/20, which includes the appointment of a representative of Merseyside Fire and Rescue Authority.

For 2020/21, Cllr Steff O’Keeffe was appointed as MFRA’s representative on the Safer Merseyside Partnership.

**Members are therefore asked to confirm the appointment to this partnership for 2021/22.**

#### **Equality and Diversity Implications**

4. Appointments and participation in the above organisations will assist the Authority in developing diversity further.

#### **Staff Implications**

5. There are no direct staff implications in relation to this report.

#### **Legal Implications**

6. At its AGM, the Authority is required to appoint Members to any appropriate and approved outside organisations.

#### **Financial Implications & Value for Money**

7. The costs of membership of the above organisations can be met from existing budgets.

#### **Risk Management, Health & Safety, and Environmental Implications**

8. Members of the Authority are appointed to outside organisations to learn from them, lend support to them; and encourage development for the Authority and the organisation, to help create as safe an environment as possible.

#### **Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters***

9. The appointment of Members to outside organisations helps to develop the Authority’s knowledge to ensure they continually learn and develop and continue to play an active key role in the development and safety of the community it serves.

#### **BACKGROUND PAPERS**

#### **GLOSSARY OF TERMS**

This page is intentionally left blank



<b>MERSEYIDE FIRE AND RESCUE SERVICE</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>10<sup>TH</sup> JUNE 2021</b>	<b>REPORT NO:</b>	<b>CFO/037/21</b>
<b>PRESENTING OFFICER</b>	<b>ACTING MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>GEMMA SUNG</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM</b>		
<b>TITLE OF REPORT:</b>	<b>APPROVED CONFERENCE AND OUTSIDE MEETINGS</b>		

<b>APPENDICES:</b>	
--------------------	--

### **Purpose of Report**

1. To request that Members consider the attendance at conferences and outside meetings by representatives of Merseyside Fire & Rescue Authority and confirm their approval for such attendance as determined by the Chair of the Authority.

### **Recommendation**

2. That Members approve the attendance at conferences and outside meetings by representatives of Merseyside Fire & Rescue Authority are to be determined by the Chair of the Authority.

### **Introduction and Background**

3. Members' presence at conferences and outside meetings is vital to their role and development as Authority Members. It ensures that the Authority is included in; and informed by local and national issues, to enable Members to make the best decisions for the public of Merseyside.
4. In previous years, the Authority has maintained a list of conferences and outside meetings, which were reviewed annually in accordance with the Scheme of Members Allowances; and approved as standing events at which the Authority should be represented by appropriate numbers of Members and Officers.
5. Members will be aware that it was previously agreed that the list of approved conferences and outside meetings be removed; and attendance at conferences and outside meetings by representatives of the Authority, be approved by the Chair of the Authority.
6. Once attendance at a conference or outside meeting has been determined by the Chair of the Authority, Member representation at such events, is determined and agreed by the Monitoring Officer in consultation with the Chair of the Authority and/ or Vice-Chair and Opposition Members.

7. Where a conference or meeting is directly linked to a specific Member role, the appropriate Member may be requested to attend to represent the Authority.
8. Members are therefore asked to confirm that they remain content with this arrangement for 2021/22.

---

**Equality and Diversity Implications**

---

9. There are no direct equality and diversity issues arising directly from this report.

---

**Staff Implications**

---

10. There are no direct staff implications arising from this report. However, Officers may be required to accompany Members at events relating to their areas of expertise.

---

**Legal Implications**

---

11. There are no legal implications arising directly from this report.

---

**Financial Implications & Value for Money**

---

12. A sum of £1,900 has been allocated in the Democratic Representation Budget for the payment of Conference Fees for Members. It is anticipated that costs will be contained within the existing budgets.

---

**Risk Management, Health & Safety, and Environmental Implications**

---

13. Members use the most efficient method of travel when attending conferences and outside meetings.

---

**Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters***

---

14. Members' attendance at conferences and outside meetings enables the Authority to be represented appropriately, providing an opportunity to put forward suggestions, share experience and gain further knowledge. This ensures that the Authority is best placed to make the most appropriate decisions; and provide the best service possible to the communities of Merseyside.

---

**BACKGROUND PAPERS**

---

---

**GLOSSARY OF TERMS**

---

<b>MERSEYSIDE FIRE AND RESCUE SERVICE</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>10<sup>TH</sup> JUNE 2021</b>	<b>REPORT NO:</b>	<b>CFO/038/21</b>
<b>PRESENTING OFFICER</b>	<b>ACTING MONITORING OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>RIA GROVES</b>	<b>REPORT AUTHOR:</b>	<b>GEMMA SUNG</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM</b>		
<b>TITLE OF REPORT:</b>	<b>MEETINGS WITH NATIONAL POLITICIANS AT PARTY POLITICAL CONFERENCES</b>		

<b>APPENDICES:</b>	
--------------------	--

### Purpose of Report

1. To consider the attendance of Members at meetings held at the location of party political conferences, in order to make Authority related representations in line with the Members Scheme of Allowances.

### Recommendation

2. That Members;
  - a. approve appropriate representatives of the political groups of the Authority to attend meetings with Ministers, Opposition Spokespersons and other relevant national politicians, to be held at the location of their own party political conferences, to discuss issues relating to the business of the Authority: and
  - b. approve appropriate travel and subsistence expenses for such meetings, but no payment of conference fees be made:
  - c. report back to the Authority regarding issues raised and responses; and progress on information received.

### Introduction and Background

3. The Authority has in previous years, approved the attendance of representatives of its party political groups at meetings held at the venue of their respective autumn party conference. The purpose of such attendance has been to meet with national politicians whenever possible during conference week, to act as advocates for the work of the Service; and to discuss issues of importance to the Authority from a national perspective.
4. Members are requested to consider if they wish to approve the recommendation in this report, to enable the attendance of Authority Members at meetings convened at party conferences, to make representations on behalf of the Authority at a significant political level.

---

**Equality and Diversity Implications**

---

5. There are no Equality and Diversity implications contained within this report.

---

**Staff Implications**

---

6. There are no staff implications contained within this report.

---

**Legal Implications**

---

7. It is important that the right representation is agreed by Members so that the relevant allowances can be paid pursuant to the Local Authorities (Members Allowances) England Regulations 2003.

---

**Financial Implications & Value for Money**

---

8. There will be some costs in relation to Members attendance at events, which will depend on particular circumstances of attendance and regularity of such events. However, these costs can be contained within the existing Democratic Representation budget and the benefits of such representation can be significant.

---

**Risk Management, Health & Safety, and Environmental Implications**

---

9. Members are required to use the most efficient method of travel to such events.

---

**Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters***

---

10. Representation with National politicians at party political conferences is imperative to ensure the views of the Authority, Service and Community are expressed and considered at key political level.

---

**BACKGROUND PAPERS**

---

---

**GLOSSARY OF TERMS**

---

**SERVICE**      **MERSEYSIDE FIRE AND RESCUE SERVICE**

**AUTHORITY**   **MERSEYSIDE FIRE AND RESCUE AUTHORITY**

<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY</b>		
<b>DATE:</b>	<b>10 JUNE 2021</b>	<b>REPORT NO:</b>	<a href="#">CFO/020/21</a>
<b>PRESENTING OFFICER</b>	<b>IAN CUMMINS</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>NICK SEARLE</b>	<b>REPORT AUTHOR:</b>	<b>IAN CUMMINS</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM, MIKE REA, MIKE PILKINGTON</b>		
<b>TITLE OF REPORT:</b>	<b>FIREFIGHTER PENSION SCHEMES - MCCLOUD/SERGEANT RULING - TREATMENT OF HO INFORMAL GUIDANCE ON TREATMENT OF 'IMMEDIATE DETRIMENT' CASES.</b>		

<b>APPENDICES:</b>	<b>APPENDIX A: HOME OFFICE... MCCLOUD / SERGEANT RULING – GUIDANCE ON TREATMENT OF 'IMMEDIATE DETRIMENT' CASES</b>
--------------------	--

## **Purpose of Report**

1. This report considers how the Authority may wish to implement the Home Office 'Immediate Detriment' informal guidance. The guidance proposes a methodology for removing the age discrimination suffered by some Firefighters who were members of the 1992 or 2006 Firefighter Pension Scheme (FPS) members when the Government introduced public sector pension changes on 1 April 2015.
  
2. The report outlines the risks faced by the Authority and the eligible FPS members by implementing this informal guidance in advance of having all the required information and systems in place.

## **Recommendation**

3. That Members;
  - a. Note the report,
  - b. Instruct the FPS Scheme Manager to continue to progress the proposals to enable the Authority to implement the HO Immediate Detriment guidance,
  - c. That the Scheme Manager take the final proposals to the FPS Pension Board for review, and
  - d. Include within the proposals to the Pension Board the agreement to offer those members who have yet to lose their tapered protection the option to remain within their legacy scheme if they so choose, and
  - e. That the Scheme Manager prepare a 'waiver statement' that any member who wished to take up the option to remain in their legacy scheme in

advance of the required guidance(s) must sign to acknowledge they understand the risks involved.

## Introduction and Background

### Background:

4. Prior to April 2015 firefighters depending on their employment start date had access to either the 1992 Firefighter Pension Scheme (FPS 1992), 2006 FPS (FPS 2006), or modified FPS 2006. In 2015, the Government introduced reforms to public service pensions, meaning most public sector workers were either;
  - a. moved into a new pension scheme in 2015, (for firefighters it was FPS 2015), or
  - b. were subject to 'transitional taper protection' which was made available, or denied, to existing members of the relevant schemes on the grounds of age, or
  - c. received full protection and remained in their existing scheme.

Those FPS scheme members who started prior to 1<sup>st</sup> April 2012 and were still employed 1<sup>st</sup> April 2015 were allocated into a, b or c above solely based on age on 31<sup>st</sup> March 2012.

5. The benefits and type of pension vary with each FPS scheme, but one of the biggest changes in the FPS 2015 scheme was that it (along with all other public pension schemes) moved from a Final Salary to a Career Average Revalued Earnings (CARE) scheme.
6. An Employment Appeal Tribunal (EAT) considered the 2015 pension changes introduced in the Judges scheme (McCloud) and Firefighters scheme (Sargeant), and found against the Government due to some specific issues. The Government appealed the EAT findings and in December 2018 the Court of Appeal found that the 'transitional protection' which allowed certain members of the firefighters' pension schemes to remain in their existing schemes when they were closed to other members, gave rise to unlawful discrimination, as transitional protection was only offered to older scheme members.
7. The Government had no further avenue to appeal the decision and HM Treasury (HMT) published a consultation on changes to the reformed 2015 public service pension schemes in order to remove the unlawful age discrimination. The main change proposed to **rectify retrospective discrimination** gives members a choice of receiving;
  - a. Final salary (legacy) benefits (FPS 1992 / FPS 2006), or
  - b. CARE (reformed) benefits (FPS 2015)

for the period 1 April 2015 to 31 March 2022, or their date of leaving if earlier. This period is known as the **remedy period**. This will give eligible scheme members a choice at the point their pension becomes payable of;

- whether they wish to receive benefits from their legacy scheme, or

- benefits equivalent to those that would have been available under their reformed schemes in relation to their service between 1 April 2015 and 31 March 2022.
8. The second part of the remedy is to remove **future discrimination** from the schemes by providing **that all members will move to the reformed scheme (FPS 2015) from 1 April 2022.**
  9. HMT consulted on two options as to **when a member would be asked to make a choice**, either within 12-18 months of 2022 (immediate choice) or at date of leaving the scheme (deferred choice underpin - DCU). The outcome of the consultation as confirmed on 4 February 2021 **was DCU**. Under DCU, all eligible FPS 2015 members will be returned to their original legacy scheme for the remedy period. This includes taper members regardless of their taper date.
  10. All eligible members will be automatically entitled to remedy without having to make a claim. To be eligible, the member must have been in service on or before 31 March 2012 and on or after 1 April 2015.
  11. Therefore, under the DCU the pension administrator must for all eligible FPS members for their relevant pension benefit period:
    - a. Convert all CARE (FPS 2015) pension for the remedy period (01.04.2015 – 31.03.2022) to a final salary pension and store original CARE as an **underpin** pension,
    - b. Maintain underpinned benefits until the member retires,
    - c. Offer choice **at retirement** of default final salary (FPS 1992 or FPS 2006) for remedy period or underpinned CARE.
  12. In order to return members to their original legacy scheme administrators will need additional data from Fire and Rescue Authorities (FRAs) to rebuild the final salary record. For example, an unprotected member who transitioned to FPS 2015 from FPS 1992 on 1 April 2015 and remains in employment will need a final salary record creating for the full seven-year period.
  13. Future Annual Benefit Statements (ABS) will need to provide both values of legacy and reformed benefits for the remedy period. However, those calculations will require significant pension software amendments, data collection and HMT / HMRC guidance on technical and tax issues which **are not expected to be finalised in time to enable dual benefit statements for eligible members before October 2023.**
- Home Office Immediate Detriment Informal Guidance:**
14. The Home Office issued **informal** guidance direct to Fire and Rescue Authorities (FRAs) in August 2020 regarding the treatment of **immediate detriment** cases in advance of a decision on the Government's final approach to removing the age discrimination.

15. 'Immediate detriment' includes those scheme members who were in service on or before 31 March 2012 and on or after 1 April 2015 (including those with a qualifying break in service of less than 5 years) and who did not benefit from full protection and were moved into the 2015 FPS on or after 1 April 2015:
  - a. Who become eligible to retire with an ordinary pension and want to have all their benefits paid from their legacy scheme (i.e. do not accept deferred 2015 FPS benefits); or
  - b. Who do not qualify for lower-tier (and therefore higher-tier) ill-health pension under the single pot ill-Health Retirement (IHR) arrangement BUT would do so under the IHR arrangements in their legacy scheme
16. The HO informal guidance would suggest that any scheme members that fall within either of the two categories above can have their pensions calculated under their legacy arrangement and put into payment. The note should **not be applied to scheme members who have already retired** and are in receipt of their pension payments. The note refers to these cases being more complex to address, especially due to complexities in rectifying the member's tax position.
17. The HO informal guidance also recognises that ALL cases processed using this guidance **will need to be revisited** once the Government's approach to removing the discrimination has been finalised, due to relevant matters that are currently subject to consultation.
18. The HO informal guidance contains significant gaps, particularly;
  - a. What the position is for FRAs if members make decisions without all the correct information, such as understanding tax relief, and once all the information is known the individual believes they made the wrong decision.
  - b. What risk the member accepts by having benefits paid out before the consultation has concluded, although the note states that all cases will need to be revisited once remedy is finalised.
  - c. How to deal with the tax implications.
  - d. The application of interest on owed employee contributions, if applicable.
  - e. Cash equivalent transfer values (CETVs) transferred into the FPS 2015 will need to be considered and how this is converted to additional service in the legacy scheme. (under the current rules for CETVs, benefits cannot be transferred into the FPS 1992 as the scheme is closed and there are no current factors available). What effect this would have if the CETV took the member over the 30 year' service cap.
  - f. Where a member has paid into FPS 2015 and bought added pension, it is not clear on how an equivalent added years pension would be created in the final salary scheme. It also does not comment on the position where the member would not have qualified for added year's in the legacy schemes, for example, the requirement in FPS 1992 to be more than two years from retirement when purchasing added year's, or what the effect would be if that added year's conversion took the member over 30 years' service.



- g. The guidance does not comment on the steps needed to calculate whether there is a tax liability, i.e. by recalculating the pension input amount over each of the pension input periods in the remedy period. It is understood that the informal position from HMT is that the pension input amount should be re-calculated over the periods in the remedy period based on the legacy scheme benefits. Further guidance from HMT and HMRC is required.
  - h. Any FRA who treats temporary promotion as pensionable in the final salary scheme will need to identify members with a temporary promotion since transition to FPS 2015. They will need to assess the notional pension contributions which apply to this additional temporary pay so that the pensions administrator can calculate the Additional Pension Benefit (APB) to be awarded to these members.
  - i. Any debits on the pension record for the remedy period, such as scheme pays or divorce, which will affect the value of the benefit at entitlement will need to be recalculated as a debit to the final salary pension.
  - j. The position of tax relief on employee contributions means that if a member chooses to have the contributions deducted from their lump sum, they will not qualify for tax relief under the HMRC PAYE or self-assessment process. Instead this will be claimed through a government process. This needs to be clearly explained to the relevant FPS members.
  - k. The consultation proposals suggest that taper members would only be able to select legacy or reform benefits for **the whole remedy period**, i.e. 1 April 2015 to 31 March 2022.
    - i. It is not clear how choice should be offered to a taper protected member in the immediate detriment category. Under the current legislation a taper protected member who has already moved into FPS 2015 would have both a pension that could immediately be paid upon retirement from FPS 1992 which would include service past 1 April 2015, and a deferred entitlement in FPS 2015.
    - ii. It is not clear whether a taper member choosing to retire under immediate detriment and accepting payment of an FPS 1992 pension based on service to date of retirement would have to forfeit any existing FPS 2015 deferred pension, and if that should be caveated at the time of retirement, based on the outcome of the consultation.
  - l. There is no commentary on abatement that would apply under the legacy schemes but not reformed schemes.
  - m. The guide gives no instruction for dealing with future planned transfers into FPS 2015 as staff reach the end of their tapered protection.
19. Under the immediate detriment note members who don't qualify for lower tier ill-health in FPS 2015 but would do so under FPS 1992 or FPS 2006 should be allowed to retire under the arrangements of their legacy scheme where possible. The IQMP would need to assess the applicant under the terms of the 1992 or 2006 scheme if applicable. Members who have retired on the grounds of ill-health during the remedy period will be given the same opportunity to choose either legacy or reformed benefits. Where the criteria are different between the

schemes, a new IQMP assessment may be required under the terms of the legacy scheme.

20. As the HO informal guidance is not supported by legislation this introduces significant risk to FRAs and any implementation may lead to further legal challenge in the future, once the final position is known.
21. The FRA is not required to make the employer contributions at this time, the 2020 FPS actuarial review will consider the overall impact of McCloud and build it into the 2024/25 Employer rates.

**MFRA Approach to the HO Immediate Detriment informal guidance;**

22. Originally no FRA had intended to implement the HO informal guidance note on immediate detriment cases **until** the required guidance from the HO (*direction on some of the technical aspects for implementing retrospective legacy benefit adjustments*); HMT / HMRC (*tax issues – retrospective tax relief for employee contributions and annual/lifetime allowance charges*); and, the LGA (*FPS lead – data collection and consistent treatment for implementing changes*) were available.
23. The reasoning behind this approach was that the preparation of accurate pension statements is critical in order to allow eligible firefighters approaching retirement to make the right choice for them under DCU. Once a member has made their decision they **may** not be able to reverse it at a later date. If, once all the required guidance is available, the legacy pension (due to additional tax charges or benefit adjustments) is found to provide a lower pension than the underpin option a member may not be able to change their choice.
24. If the Service waits until all the information is available, it would be in a position to provide eligible firefighters with accurate pension and tax information for them to make the right choice based on their known pension benefits. Unfortunately, the LGA's view is that pension statements and tax information may not be available until **October 2023**. Therefore, while all eligible firefighters will ultimately receive their chosen pension scheme and any underpayments will be made good, it is frustrating for all parties that the remedy implementation may take such a lengthy period to be actioned.
25. The FBU hold the position that as the HO supported their ask for retiring members to have immediate access to their legacy schemes over the remedy period (HO Immediate Detriment guide), then FRAs should give eligible retiring firefighters access to their legacy schemes now.
26. The FBU have commenced legal action against some FRAs who have not implemented the HO guide. The current FBU cases relate to ill-health retirements and the fact that these FRAs failed to consider eligibility to an ill-health retirement under the member's current and legacy scheme terms (which MFRS currently does). The likelihood is the FBU action will be extended to other FRAs if it is successful.

27. The position of some FRAs has now changed and they are now implementing the HO informal guide for eligible firefighter retirements. As stated earlier the HO offer of immediate detriment is **not** applicable to members who have already retired they will have to wait until potentially October 2023 before they get the pension statements so they can make their decision.
28. The Authority's FPS Scheme Manager has been working with officers to look at options for implementing the HO immediate detriment informal guidance. If this can be delivered it will still mean the statements and costs to any member who wished to take up this option, rather than wait for accurate information, will contain errors. To mitigate the Service from any future challenge a legal waiver document would need to be developed and any individual taking up the offer must sign the statement to indicate they understand the potential consequences of their decisions.
29. In order to prepare the required pension benefit statements the pension administrators will need additional data from Fire and Rescue Authorities (FRAs). In some cases' this would mean preparing both FPS 1992 / FPS 2006 and FPS 2015 benefits for the period 1 April 2015 and 31 March 2022. It would also require the conversion, if possible, of some FPS 2015 additional payments; special conditions (CETV); and other technical issues into a final salary benefit. This data capture requirement is crucial.
30. The LGA and pension representatives have been working on identifying a standard data template that could be used by all FRAs to collate the information to prepare the required final and underpin pension benefit statements. In addition, pension application software companies have been working with the LGA so that the data template can fully integrate with upgraded pension applications to allow the production of the benefit statements. The latest FPS Bulletin 44 (April 2021) published on 30th April 2021 announced these templates have now been agreed and have commenced workshops with FRAs and pension administrators to go through the statements. The remedy period data will be needed up to 31 March 2022. The LGA proposal is that FRAs and pension administrators should use the data templates to collect data up to 31 March 2021 and aim to have this on pension accounts by September 2021. FRAs could then submit data for the remaining 12 months at the end of that scheme year (31 March 2022) in line with annual postings, or, each month where monthly postings are in operation.
31. With the above data template now available it is hoped that in the coming months the Service would be in a position that it had the data to prepare the required dual pension benefit statements.
32. It is understood that HMT are drafting a policy statement that will cover the treatment of retrospective annual and lifetime tax allowance breaches, tax relief on employee pension contributions due from retired firefighters, and other tax related issues. The HMT policy statement is unlikely to be published for several months. Therefore, the Service would still not be in a position to confirm the total cost for a member accessing the legacy scheme or how pension benefits may change when all the relevant tax guidance was available. Without the required

full technical guidance there is a risk that individuals may make decisions based on information at the time but later find themselves responsible for a tax charge linked to that decision that would mean their pension choice may be wrong if it results in a lower net pension.

33. Currently members whose tapered protection has come to an end continue to be transferred into the FPS 2015. In order to protect the Authority and the individual the Scheme Manager is minded to continue to transfer those staff with tapered protection into the FPS 2015 as their protection ends to ensure they have the same choice as other transferred members. This will be considered on a case by case basis.
34. It would be beneficial if FRAs, the LGA, and other interested parties could work together to develop a framework on standardising the approach to implementing the HO guide. To that end the Service has signed-up to a proposal with a number of FRAs for exploring a settlement / remedies framework, but this has yet to be established. If it is successful it would minimise the risks that arise from different approaches to specific issues in implementing the HO guide.
35. Due to the above challenges the Scheme Manager does not foresee the option of immediate detriment being available before Autumn 2021, but will work with relevant partners to bring this date forward if possible. In order for the Service to have sufficient time to prepare the required statements and get the individuals to sign the legal waiver the Scheme Manager would need sufficient notice from the individuals of their intended retirement date. Currently most of the eligible firefighters only have to give 1-weeks' notice which would make it impossible to prepare the dual benefits statements. The Scheme manager would look to agree a period of retirement notice of, at least initially, 3 months to allow the time to prepare the required statements. This would also benefit the individual as they could spread the cost of retrospective employee contributions over this period and receive tax relief on these contributions as they would be deducted from their monthly pay.
36. Therefore, the FPS Scheme Manager subject to Members approval would recommend that he finalises the proposals for implementing the HO immediate detriment informal guidance and takes the proposals to the Local Pension Board for scrutiny and sign-off. Once this has been done, eligible retiring FPS members will be given the choice of accessing their legacy or underpin benefits.
37. Currently all Service ill-health retirements members with transitional 1992 benefits who are unsuccessful in an ill-health retirement assessment within the FPS 2015, have been assessed under both the 1992 and 2015 scheme terms. Any members who don't qualify for ill-health retirement in FPS 2015 but would do so under FPS 1992 have been allowed to retire under the arrangements of their legacy scheme were possible. Criteria for ill-health retirement are the same for standard FPS 2006 and FPS 2015, therefore assessment under the 2015 terms should be acceptable.

---

## **Equality and Diversity Implications**

---

38. The McCloud / Sargeant case identified the pension changes introduced by the Government in April 2015 discriminated against individuals on the basis of age. The Government's proposed remedy removes that discrimination.

---

## **Staff Implications**

---

39. Staff who were members of the FPS 1992 or NFPS 2006 who belonged to those schemes at 1 April 2012 and continued to do so on 1 April 2015 and did not qualify for full protection from being transferred into the new FPS 2015, were impacted by the Public Services Pension Act 2013 in relation to their expected pension benefits.
40. The Government and Authority have accepted the outcome of the McCloud / Sargeant case and the agreed remedy to offer these individuals the option to access their legacy (FPS 1992 / FPS 2006 scheme) benefits or underpin (FPS 2015 scheme) benefits. Under the HMT proposals the decision over which scheme benefits an individual want to access can be deferred until the individual retires.
41. In order for the individual to make this decision the pension scheme administrator will provide pension benefit statements that outline what the individual would receive under both the legacy and underpin pensions. Depending on the individual's decision this may result in the requirement to pay additional employee pension contributions and retrospective tax charges. Due to the data challenges and need for technical and tax guidance from various Government departments these statements may not be available before October 2023. This will mean for some individuals they will have retired on their current pension benefits. For FPS 1992 / 2006 members who have moved to the FPS 2015 at some point from 1 April 2015, this means they must wait before they can receive the option to access their legacy scheme benefits. If at a future date they decide to revert back to their old scheme the benefits will be backdated to the date they retired. Following a request by the FBU the HO issued an informal guidance note allowing FPS members who are due to retire immediate access to their legacy schemes. This report has outlined the work the MFRA FPS Scheme Manager is doing to look at implementing the HO guidance.

---

## **Legal Implications**

---

42. The Authority demonstrates regard to the Employment Appeal Tribunal's Judgement and Section 61 and 62 of the Equality Act in making a decision to implement the HO Immediate Detriment guidance for dealing with all eligible FPS members requests to access to their legacy schemes immediately.
43. In order to implement the guidance further to the Employment Appeal Tribunal's Judgment the risk to the Authority will be sought to be mitigated through an appropriate legal waiver or agreement.

---

## Financial Implications & Value for Money

---

44. HMT have agreed that the impact of the remedy on the FPS Employer rates will be considered as part of the 2020 Actuarial Review and feed into the 2024/25 revised employer rates. The current medium term financial plan assumes the employer rates will increase by +3% or £1m p.a.

---

## Risk Management, Health & Safety, and Environmental Implications

---

45. The FBU have taken legal action against a number of FRAs for not implementing the HO Immediate Detriment guidance. If the Authority didn't progress the implementation of the HO guidance the FBU may consider taking legal action against the Authority on the same understanding.
46. If the Authority produces legacy pension benefit statements based on assumptions and inaccurate information in order to implement HO immediate detriment guidance it may result in eligible firefighter making the wrong pension choices. It will therefore be made clear to the individual that this would be the individual's choice and as a result they will be asked to sign a waiver to acknowledge this risk based on lack of absolute clarity at this time.

---

## BACKGROUND PAPERS

---

---

## GLOSSARY OF TERMS

---

<b>MFRA</b>	<b>Merseyside Fire and Rescue Authority</b> is the physical and legal entity. When writing reports MFRA is the "object".
<b>MFRS</b>	<b>Merseyside Fire and Rescue Service</b> is the service provided by MFRA. When writing reports MFRS is the "action"
<b>DCU</b>	Deferred choice underpin – DCU
<b>FPS</b>	Firefighters' Pension Scheme
<b>HO</b>	Home Office
<b>HMT</b>	Her Majesty's Treasury
<b>FBU</b>	Fire Brigades Union
<b>LGA</b>	Local Government Association

## Firefighters’/Police Pension Schemes

### McCloud/Sargeant ruling – Guidance on treatment of ‘Immediate Detriment’ cases

#### 1.0 Purpose of guidance

- 1.1 The purpose of this note is to provide informal guidance to Fire and Rescue Authorities (in England) and Police Forces (in England and Wales) on processing ‘immediate detriment’ cases (see definition in section 3 of this guidance) in advance of a decision on the Government’s final approach to removing the age discrimination as found in the McCloud/Sargeant Employment Tribunal litigation.
- 1.2 The guidance is provided at the request of the Fire Brigades Union and for the purpose of assisting employers with “immediate detriment” cases. For that reason, it is only relevant to members of the Police and Fire Pension Schemes.
- 1.3 Further, it must be noted that the issues raised in this document are the subject of both ongoing litigation and the Government’s consultation. As such this guidance will be kept under review to ensure that it is consistent with any judgment or outcome from the consultation and will be amended to give effect to any such judgement or outcome.
- 1.4 In this guidance a reference to the “2015 scheme” is to the applicable reformed Police or Fire CARE Pension Scheme, and a reference to the “legacy scheme” is to the applicable Police or Fire Pension Scheme that applied to a member before 1 April 2015.
- 1.5 The term ‘pension authority’ refers to the appropriate Fire and Rescue Authority or Police Force.

#### 2.0 Background to McCloud/Sargeant ruling

- 2.1 In 2015 most public service pension schemes, including the Firefighters’ Pension Scheme and Police Pension Scheme, were reformed. These reforms included ‘transitional protection’ for people closest to retirement.
- 2.2 In 2018, the Court of Appeal ruled that the transitional protection element of the 2015 public service pension reforms constituted unlawful age discrimination in the Firefighters’ and Judges’ Pension Schemes. The Government respects the Court’s decision and has confirmed that it will remove the difference in treatment across all main public service pension schemes, including the Police Pension Scheme.

- 2.3 The Government is currently consulting on proposals to remove this discrimination. Detail on the current proposals can be accessed here: <https://www.gov.uk/government/consultations/public-service-pension-schemes-consultation-changes-to-the-transitional-arrangements-to-the-2015-schemes>. The changes proposed in the consultation to remove the discrimination will apply across all the main public service pension schemes and provide members with a choice of which scheme they would like to be in for the remedy period. The remedy period is defined as between 1 April 2015 and 31 March 2022 in the consultation paper.
- 2.4 The remedy only applies to members who were in service on or before 31 March 2012 and on or after 1 April 2015, including those with a qualifying break in service of less than 5 years.

### 3.0 What are 'Immediate Detriment' cases

- 3.1 For the purposes of this guidance, immediate detriment includes those scheme members who were in service on or before 31 March 2012 and on or after 1 April 2015, including those with a qualifying break in service of less than 5 years, and who did not benefit from full protection and were moved into the 2015 Scheme on or after 1 April 2015:
- I. who become eligible to retire with an ordinary pension and want to have all their benefits paid from their legacy scheme (i.e. do not accept deferred 2015 scheme benefits); **OR**
  - II. who don't qualify for lower-tier (and therefore higher-tier) ill-health pension under the single pot Ill-Health Retirement (IHR) arrangement BUT would do so under the IHR arrangements in their legacy scheme.
- 3.2 Any scheme members that fall within either of the two categories above can have their pensions calculated and put into payment according the guidance set out in section 5 below.
- 3.3 This guidance **should not** be applied to scheme members who have already retired and are in receipt of their pension payments. These cases are more complex to address, especially due to complexities in rectifying the member's tax position.
- 3.4. It is important **to note** that ALL cases processed using this guidance will need to be revisited once the Government's approach to removing the discrimination has been finalised, due to relevant matters that are currently subject to consultation, to include interest on contributions etc. This is likely to be after April 2022.

### 4.0 Guidance on treating immediate detriment cases

- 4.1 There are some transitional scheme members who have already been dismissed from work without a pension as they did not qualify for an ill-health pension under the 2015 Scheme. In addition, there are transitional members who are now



approaching retirement and want to take their full pension benefits under their legacy pension scheme. This guidance provides employers with advice on how these cases can now be processed in advance of final remedy implementation.

#### *Transitional members who are already in receipt of a pension*

- 4.2 There are cases (in respect of both ill-health/ordinary retirements) where transitional members have already retired and are currently receiving an ill-health/ordinary pension. It is recognised that many of these members' pensions are lower than they would be if they were paid under the member's legacy pension scheme. For example, where a transitional member has retired on ordinary grounds below age 55, their benefits accrued under the 2015 Scheme will currently be deferred until their State Pension Age.
- 4.3 These cases involve complex tax implications, employee/employer contribution adjustments etc. which still need to be resolved – these points are currently being consulted on and a final approach has yet to be confirmed. We will look to process these cases as a priority as soon as these outstanding points have been resolved.

## **5.0 Giving scheme members a choice**

- 5.1 Scheme members falling under the scope of this guidance will effectively be given the opportunity to take all their pension benefits accrued between 1 April 2015 and 31 March 2022 under their legacy pension scheme, rather than take some benefits under the 2015 Scheme.
- 5.2 Pension authorities can now offer this choice to all those scheme members who:
  - have transitioned into the 2015 Scheme who are approaching retirement; and
  - have retired due to poor health but who didn't qualify for an ill-health pension under the 2015 Scheme regulations but would qualify under their legacy scheme regulations.
- 5.3 In order to provide this choice, pension authorities will need to present two sets of pension entitlement quotes to each qualifying scheme member. Whilst not an exhaustive list, each quote should set out the main pension benefits that they would receive under each choice, to include: recurring annual pension (before and after commutation), commutation retirement lump sum entitlement, employee contributions owed/refunds due etc. Each scheme member should be required to provide written confirmation of their election.
- 5.4 There remain a number of outstanding issues that will not be resolved until such time that the Government finalises its approach to removing the discrimination identified by the McCloud/Sargeant ruling (see unresolved pensions issues section below). Each scheme member will need to agree to accept the Government's final approach and any future adjustments that this requires.

- 5.5 Once written confirmation has been received from each member, the pension authority can put the pension chosen into payment.

***Unresolved pension issues:***

- 5.6 As explained above, there remain outstanding issues that will not be resolved until the Government finalises its approach to removing the discrimination. The Government is currently consulting on its proposed approach and will finalise its proposals following careful consideration of stakeholder responses.

***Recovery of outstanding employee contributions***

- 5.7 Any scheme members who choose to take their full pension benefits under their legacy scheme will owe employee contributions or be entitled to a refund. Any employee contributions owed will need to be paid before the member's legacy scheme pension can be put into payment.
- 5.8 Any contributions owed will need to be based on the pay that is considered to be pensionable under the legacy scheme, which may vary from that pay which is considered pensionable under the 2015 Scheme. It will be for employing pension authorities to make an assessment for each member and seek payment. The member has a choice to pay any outstanding employee contributions from their retirement lump sum or from any other personal source. Any refunded employee contributions can be repaid to the member from the employer's local pension fund account.
- 5.9 A final decision has yet to be made in respect of whether, and at what rate, interest should be applied to contributions owed by employees should they elect to receive benefits from their legacy scheme during the remedy period (2015 to 2022). As the Government's approach to this issue has yet to be confirmed, this guidance proposes that interest is not applied to employee contributions owed at this time.
- 5.10 Notwithstanding this, any immediate detriment cases where the pension is put into payment now may need to be revisited if the Government's final approach includes the application of interest on owed employee contributions. Pension authorities should ensure that any members making a decision under this guidance are aware of, and accept, this condition.

***Tax relief on employee contributions***

- 5.11 Where possible, pension authorities should ensure that the employee contributions owed are repaid by the member before they leave service to ensure that any tax relief entitlement can be applied. Where this is not possible, for example where an individual has retired previously on ill-health grounds and did not qualify for a pension under the 2015 Scheme but would qualify under their legacy scheme, the

scheme member will have to wait until the Government's final approach to removing the discrimination has been implemented to receive any appropriate reimbursement. This is likely to be after April 2022.

*Recovery of outstanding employer contributions (Firefighters' Pension Schemes only)*

5.12 The Firefighters' Pension Schemes are in a unique position compared to other public sector pension schemes in that they do not have a uniform employer contribution rate across all schemes. As such, any scheme member who elects under this guidance to take their full pension benefits under their legacy scheme will impact on the corresponding employer contributions owed in respect of that member during the period that they were in the 2015 Scheme.

5.13 It will be for each employing Fire and Rescue Authority (FRA) to recalculate the contributions that they, as the employer, should have paid under the legacy scheme for each member and pay any shortfall into their pension fund account. Where this results in an excess of employer contributions having been paid, these can be refunded to the employer from their pension fund account.

*Treatment of Cash Equivalent Transfer Value (CETV) transfers into the 2015 Scheme*

5.14 It is recognised that there will be some transitional scheme members who will have transferred benefits from an external pension arrangement into the 2015 Scheme. Where a scheme member elects to take all their benefits from the legacy scheme, the original transfer-in (the Cash Equivalent Transfer Value) will need to be recalculated to determine the amount of pensionable service that should be purchased in the member's legacy scheme.

5.15 The recalculation of the transfer-in will need to be undertaken by pension authorities as if it had been taken at the time of the original transfer, using the actuarial factors that were applicable at that time.

5.16 Where conversion of transferred benefits from the 2015 Scheme to the legacy scheme results in the pension input amount changing due to actuarial adjustment, then an individual's Annual Allowance position may need to be reassessed.

*Treatment of purchased added pension in the 2015 Scheme*

5.17 Some transitional scheme members will have elected to make voluntary contributions to purchase 'additional pension' in the 2015 Scheme. For those members that elect to take their full benefits under the legacy scheme, any employee contributions paid in respect of the additional pension purchased will need to be converted to the equivalent value of additional pension that could have been purchased in the member's legacy scheme.

- 5.18 The legacy schemes do not currently have ‘additional pension’ provisions. Additional pension purchased in the 2015 Scheme is one of the unresolved issues that the consultation is considering.

*Scheme PAYS– treatment of debits applied to 2015 Scheme pension*

- 5.19 There may be instances where transitional members have previously incurred certain tax charges and have elected for these to be paid under Scheme PAYS with the associated pension debit applying to the 2015 Scheme benefits.
- 5.20 Where this is the case and the member elects for all their pension benefits to be paid from their legacy scheme, there may be subsequent changes to the tax charges retrospectively. If this is the case, pension authorities will need to recalculate the pension debit. The recalculation of the pension debit will need to be undertaken by pension authorities as if it had been taken at the time of the original Scheme PAYS elections, using the actuarial factors that were applicable at that time.

*Revisiting AA tax assessments on previous years*

- 5.21 Under current arrangements, there is a four-year statutory time limit for reassessing tax for previous years. This means that where a scheme member’s pension benefits change for past years, altering their tax position, HMRC can collect and refund tax where it is owed for the current tax year, and the four full tax years immediately preceding the point at which the individual’s benefits change.
- 5.22 Where a scheme member’s benefits change due to an election under this guidance so that additional tax is due for a tax year that sits outside the four previous tax years, HMRC cannot collect that additional tax. As such, the member will not be required to pay this. However, the recalculation will still be necessary to ensure the member’s tax position going forward is correct.
- 5.23 The Government has confirmed that where a scheme member’s benefits change so that they are owed a reimbursement of any tax charges paid since April 2015, they will get a full refund for the full period. The scheme member will initially be able to seek a tax refund from HMRC in respect of any overpaid tax charges in the previous four tax years.
- 5.24 Any further entitlement to a tax refund for years outside the four-year period will be refunded by means of compensation payments, which are expected to be paid after the Government finalises its approach to removing the discrimination, likely to be after April 2022.

**Police Workforce and Professionalism Unit, Home Office**

**21 August 2020**

<b>MERSEYSIDE FIRE AND RESCUE AUTHORITY</b>			
<b>MEETING OF THE:</b>	<b>AUTHORITY (ANNUAL GENERAL MEETING)</b>		
<b>DATE:</b>	<b>10<sup>TH</sup> JUNE 2021</b>	<b>REPORT NO:</b>	<b><a href="#">CFO/028/21</a></b>
<b>PRESENTING OFFICER</b>	<b>CHIEF FIRE OFFICER</b>		
<b>RESPONSIBLE OFFICER:</b>	<b>DEB APPLETON</b>	<b>REPORT AUTHOR:</b>	<b>JACKIE SUTTON</b>
<b>OFFICERS CONSULTED:</b>	<b>STRATEGIC LEADERSHIP TEAM</b>		
<b>TITLE OF REPORT:</b>	<b>SERVICE DELIVERY PLAN 2020-21 END OF YEAR REPORT</b>		

<b>APPENDICES:</b>	<b>APPENDIX A:           FUNCTIONAL PLAN UPDATES 2020-21</b> <b>APPENDIX B:           KPI/LPI END OF YEAR 2020-21 REPORT</b> <b>APPENDIX C:           HMI ACTION PLAN UPDATE</b> <b>APPENDIX D:           IRMP ACTION PLAN UPDATE</b> <b>APPENDIX E:           OPERATONAL RESPONSE IRMP ASSESSMENT</b>
--------------------	--

1. To request that Members scrutinise performance against the objectives and the performance targets/outcomes as set out in the Service Delivery Plan 2020/21. In addition, the Integrated Risk Management Plan actions and the HMICFRS action plan are reported twice a year and are included in this end of year Service Delivery Plan report.

### **Recommendation**

2. That Members approve the attached reports for publication on the website.

### **Introduction and Background**

3. The 2020/21 Service Delivery Planning process began in January 2020. The process considered organisational risk, legislation, financial constraints and consultation outcomes to create innovative and value for money initiatives in order to inform the IRMP and Service Delivery Plan.
4. The Service Delivery Plan Performance Report for 2020/21 is the document that reports and updates on the Functional Plan action points and Key/Benchmark Performance Indicators against the targets that were approved by Members in March 2020.
5. Reporting is provided on a regular basis to Members through the Authority's Committees.

## Functional Plan updates (Appendix A)

6. A colour coding has been added to the Functional Plan updates:

Key for Progress Reporting

- ⇒ Action is now business as usual/complete
- ⇒ Action is well underway/completion anticipated by a stated date
- ⇒ Action is on hold or not started

## Performance Indicators (Appendix B)

7. In March 2020 a full annual review of performance indicators and their relevance was carried out. It was agreed Performance measures would continue to be grouped in the following way:

- Summary Indicators – key summary performance indicators to measure how MFRA is performing. A number of these indicators are
- Service Plan outcomes - Key Performance Indicators
- Tier 1 - Outputs – contributory outcomes and Local Performance Indicators
- Tier 2 – Output - Local Performance Indicators

8. Performance indicators have been grouped according to incident type:

- Dwelling fire
- Non domestic property fire
- Anti-social behaviour and other fire
- Road traffic collisions
- Special service
- Fire alarms
- Staff welfare, risks and competency
- Energy and the environment

9. The Key Performance Indicator TC05 Special Service Calls attended no longer has a target and is for quality assurance only. This decision was made due to the type of incidents attended. It was agreed that MFRS would not want to discourage many of the calls received, nor are we able to influence performance in some areas such as assisting partner agencies. Areas MFRS could influence such as RTC's attended and water rescue incidents, while still included in this indicator are also recorded separately as RC11 and RC24.

10. This report focuses on the Benchmark Performance Indicators underpinned by the key and local performance indicators to illustrate and inform as required.

11. The format has been designed to give a clear illustration of how the Service is performing against Key Performance Indicators which are grouped together e.g. dwelling fire related indicators are influenced by the Community Risk Management measures we put in place so this group includes measurement of the number of Home Fire Safety Checks and Safe and Well visits we deliver especially to those

most at risk, which we have recognised are the over 65's and people living in areas of deprivation.

12. The PI's are monitored and scrutinised each month through the Performance Management Group which is an internal meetings of relevant managers, and quarterly at the Strategy and Performance Board. Exceptions and areas of poor performance are highlighted and action plans put into place as appropriate.
13. All performance for 2020-21 is covered in detail in the appendices to this report.
14. As is to be expected, the pandemic has had some impact on performance this year, with a number of planned activities not being carried out due to the restrictions. Rather than request an adjustment to the targets, the Chief Fire Officer has maintained the current target as this enables Authority Members to see what that impact has been. However, it is important to note that performance against performance indicators remains very positive.
15. Also included as appendices to this report are the latest update on progress against the areas for improvement identified in the Service's 2019 HMICFRS inspection report and the end of year update against the 2017/20 IRMP and 2019/21 IRMP Supplement plus an assessment of the Operational Response actions in the IRMP. These are at Appendix C, D and E respectively.

---

#### **Equality and Diversity Implications**

---

16. Equality and Diversity actions form part of the Service Delivery Plan and each action is equally impact assessed as appropriate. Performance against Equality Objectives is included in the twice yearly Equality and Diversity update reports that are submitted to committees of the Authority.

---

#### **Staff Implications**

---

17. There are no direct staffing implications contained within this report. Performance is discussed with a number of staff during the planning process and reporting periods, and those staff provide updates and put in place strategies and plans for performance improvement where required.
18. The Service has adopted a new methodology for setting performance targets for stations and station staff have been involved in that process.

---

#### **Legal Implications**

---

19. There are no direct legal implications contained within this report.

---

#### **Financial Implications & Value for Money**

---

20. It is the aim of the majority of objectives to provide the same or an improved level of service for the same or a reduced cost.

21. Initiatives where there are cost implications have been approved by the Authority and they are monitored closely through the project management process.

---

**Risk Management, Health & Safety, and Environmental Implications**

---

22. Consideration of Health and Safety, the environment and successful risk management is paramount in project managing all of the IRMP and Service Delivery Plan actions.

---

Contribution to Our Mission: *Safer Stronger Communities – Safe Effective Firefighters*

---

23. The Service Delivery Plan is The Service Delivery Plan is the primary method by which the Authority delivers its objectives in order to achieve its Mission.

---

**BACKGROUND PAPERS**

---

---

**GLOSSARY OF TERMS**

---





## SERVICE DELIVERY PLAN 2020-21

December - March 2021

Report:

### Key for Progress Reporting:

- ⇒ Action is now business as usual/complete
- ⇒ Action is well underway/completion anticipated by a stated date
- ⇒ Action is on hold or not started

# SERVICE PLAN – DECEMBER – MARCH 2021

## OPERATIONAL PREPAREDNESS:

### TRAINING:

<p><b><u>FP/20/21/1.1:</u></b></p> <p>Complete feasibility study and a detailed costing exercise for the proposed redevelopment of the Training and Development Academy (TDA) and Croxteth Fire Station (including collaboration with internal and external partners).</p>	<ul style="list-style-type: none"> <li>⇒ The TDA Project Board has completed the feasibility study and costing exercise on redevelopment of the TDA/Croxteth site. Planning permission had been sought.</li> <li>⇒ Recommendations from the Board to the Authority were to look at a new site. <b>CLOSED</b></li> </ul> <p>New Action created for 2021/22 - To build a new training facility that is fit for purpose that supports the training of highly skilled people and reflects new/emerging foreseeable risk.</p>
<p><b><u>FP/20/21/1.2:</u></b></p> <p>Enhance Command Training to ensure fire service assets are directed assertively, effectively and safely at incidents including regular assessment of command competence.</p>	<ul style="list-style-type: none"> <li>⇒ New Command Strategy has been presented and endorsed at Ops Board. Simulation exercises have been introduced.</li> <li>⇒ The Strategy continues to be implemented and evolved, a progress report went to the Ops Board on 26.11.2020 Full strategy to be presented to Ops Board on 29 March 2021 with launch date set for the 1st April, 2021.</li> </ul> <p>This continues as an action in 2021/22</p>
<p><b><u>FP/20/21/1.3:</u></b></p> <p>Ensure all staff skills are up to date and promote organisational awareness of the method to record training.</p>	<ul style="list-style-type: none"> <li>⇒ Organisational Training Needs Analysis produced and presented to Ops Board 28.9.2020.</li> <li>⇒ Appraisals process completed.</li> <li>⇒ Multi-agency 3-year calendar has been produced and presented to the Ops Board 26.11.2020, Learning governance meetings being held monthly supported by POD and Ops Preparedness.</li> <li>⇒ Support staff and Fire Control ELearning is live. Marine Rescue Unit ELearning is completed.</li> <li>⇒ Embedded as business as usual. <b>CLOSED</b></li> </ul>

Page 298

<b>COLLABORATION &amp; INTEROPERABILITY:</b>	
<p><b><u>FP/20/21/1.4:</u></b></p> <p>Ensure collaborative opportunities are fully explored and kept under review in line with the Policing &amp; Crime Act 2017, reviewing our Shared Estate, Operations and Support Services. Opportunities will be explored where they are in the interests of efficiency, effectiveness or public safety.</p>	<ul style="list-style-type: none"> <li>⇒ Work still continues to be focused on the co-ordination of joint response to COVID 19 by supporting Tactical Command Group and the Emergency Service Cell.</li> <li>⇒ Presentation detail went to Blue Light Collaboration Board in February 2021 on options for future areas of scrutiny. Update went to Resources Board March 2021.</li> <li>⇒ The Local Collaboration Overview document has been updated and is available on the Portal</li> </ul> <p>This continues as an action in 2021/22</p>
<p><b><u>FP/20/21/1.5:</u></b></p> <p>Continue to embed and improve interoperability through JESIP by working together and working with partners to achieve a better outcome for our communities.</p>	<ul style="list-style-type: none"> <li>⇒ JESIP Control Room supervisor courses delivered in October 2020.</li> <li>⇒ JESIP Commander courses were delivered September - December 2020. Currently JESIP commander course content being compiled as start to a new 3-year cycle, with the aim of the courses to be arranged for October 2021.</li> <li>⇒ Annual 2020 JESIP training summary completed.</li> </ul> <p>Embedded as business as usual. <b>CLOSED</b></p>
<b>FIRE CONTROL:</b>	
<p><b><u>FP/20/21/1.6:</u></b></p> <p>Implement a comprehensive review of staffing and consider future ways of working for Fire Control.</p>	<p>Review update to Ops Board 29.6.20 and 28.9.20.</p> <ul style="list-style-type: none"> <li>⇒ 8 workshops held in early 2020 with staff and online survey sent to all.</li> <li>⇒ A summary report produced.</li> <li>⇒ ELearning planner launched and all other face to face training being recorded via Operational Performance System (OPS).</li> <li>⇒ Staffing review completed, a formal recruitment proposal agreed and implemented. This resulted in introduction of new flexible roles within Fire Control and in addition to Crew Manager Development roles, and long term aspiration to open up more career pathways towards senior management.</li> <li>⇒ Monthly ELearning is now in place with new modules being released on a monthly basis.</li> <li>⇒ 2 recruit courses were scheduled for 2021 this will improve resilience and flexibility within existing team. This continues as an action in 2021/22</li> </ul>

OPERATIONAL PLANNING & INTELLIGENCE:	
<p><b><u>FP/20/21/1.7:</u></b></p> <p>Continuous review of Standard Operational Procedures (SOPs) and training packages in line with National Operational Guidance (NOG) and support the ongoing development and maintenance of NOG through the completion of a Strategic Gap Analysis.</p>	<ul style="list-style-type: none"> <li>⇒ National Operational Guidance Gap analysis completed with 95% compliance and new amendments are being received regularly, which are reviewed by the OPRT team on a monthly basis.</li> <li>⇒ An Internal governance group meet and discuss changes and amendments to SOPs through the ongoing review process.</li> <li>⇒ E Learning presentation went to Ops Board 14.8.20. As from December 2020 a full suite of modules were available to staff through the Station Training Planner.</li> </ul> <p>Embedded as business as usual. <b>CLOSED</b></p>
<p><b><u>FP/20/21/1.8:</u></b></p> <p>To continue to review how operational risk information is provided to front line crews, including the future conversions of MFRS Site Specific Risk Information (SSRI) into the development and implementation of Site Information Risk and Hazards (SIRAH).</p>	<ul style="list-style-type: none"> <li>⇒ SIRAH roll out was cancelled. The further development of the application was halted due to a number of technical considerations and the availability of a commercial off the shelf package that now meets the Service's needs (this was not available when the SIRAH application development began. <b>CLOSED</b></li> </ul> <p>New Action in 2020/21 -Reviewing of the CFRMIS system and other applications</p>
<p><b><u>FP/20/21/1.9:</u></b></p> <p>Share Cross Border risk information with neighbouring FRSs through the use of ICT platforms and emerging technology and examine how best to enhance cross border training with neighbouring FRSs to assist when responding to over the border incidents.</p>	<ul style="list-style-type: none"> <li>⇒ Business as usual</li> </ul> <p><b>Closed Action</b></p>
<p><b><u>FP/20/21/1.10:</u></b></p> <p>Identify and plan to reduce Foreseeable Risk to the community and the environment.</p>	<ul style="list-style-type: none"> <li>⇒ Business as usual</li> </ul> <p><b>Closed Action</b></p>

OPERATIONAL RESOURCES AND TRANSPORT:	
<p><b><u>FP/20/21/1.11:</u></b></p> <p>Progress and implement authorised recommendations from the Strategic Leadership Team as to the most effective and efficient means in providing specialist vehicles and equipment in support of front line operational response.</p>	<ul style="list-style-type: none"> <li>⇒ Transport Strategy task and finish sub group commenced July 2020 as instructed from Resources Board 24.6.2020.</li> <li>⇒ Transport Strategy and POD review outcome report went to Operations Board 30 November 2020. The outcomes are to be aligned with the proposed IRMP 2021-24.</li> <li>⇒ A sub group has been formed to produce an indicative timeline for the delivery and implementation of the POD moves and specialist station methodology. This group will meet bi weekly for close production and scrutiny.</li> </ul> <p>This action continues in 2021/22</p>
<p><b><u>FP/20/21/1.12:</u></b></p> <p>Implement a review of Workshop staffing pay rates.</p>	<ul style="list-style-type: none"> <li>⇒ The review had been reported to Ops Board 28.8.19 and 26.9.19 with Red Book staff review completed.</li> <li>⇒ Green Book staff review commenced and temporary promotion arrangements are in place which will be reviewed in 6 months.</li> <li>⇒ Transport Manager post will be advertised in April 2021. <b>CLOSED</b></li> </ul>
<p><b><u>FP/20/21/1.13:</u></b></p> <p>Implement a comprehensive review of Courier staffing and consider future ways of working.</p>	<ul style="list-style-type: none"> <li>⇒ A review had been reported to Ops Board in 27.1 20 and consultation with Rep Bodies.</li> <li>⇒ A review of data and working time compared to GPS data had been collected and an analysis of this data completed.</li> <li>⇒ Reviewed staff kit movements of those staff contracted.</li> <li>⇒ Final outcome report with working hour requirements and work pattern went to Ops Board on 29.3.21. <b>CLOSED</b></li> </ul>
EQUALITY, DIVERSITY AND INCLUSION:	
<p><b><u>ED/20/21/1.14 - E&amp;D CARRYOVER:</u></b></p> <p>To review the Training and Development Academy facilities and Croxteth Fire Station site in line with the core training delivery model to ensure</p>	<ul style="list-style-type: none"> <li>⇒ Equality, Diversity and Inclusion Manager and TDA Manager reviewing dyslexia requirements in recruitment and training.</li> </ul>

<p>Equality &amp; Diversity are considered from an access point of view and inclusion in relation to specific firefighter facilities.</p>	<p>⇒ The E,D&amp;I Manager will be involved in the TDA New Build Project as a stakeholder</p> <p>Continue to 2021/22</p>
<p><b><u>ED/20/21/1.15:</u></b></p> <p>Utilise our positive action campaigns for recruitment within all departments to ensure diversity.</p>	<p>⇒ A successful positive action campaign was held for Fire Control in December 2020 and EIA Completed with the Diversity Manager.</p> <p>⇒ Continual positive action campaign on Firefighter recruitment.</p> <p>⇒ Embedded as Business as usual <b>CLOSED</b></p>
<p><b><u>ED/20/21/1.16:</u></b></p> <p>Collaborate and work with other agencies to horizon scan and benchmark any ED &amp; I processes.</p>	<p>⇒ Providing assistance to ED&amp;I Department in reference to NFCC around Equal Access and Provision of Services.</p> <p>⇒ Embedded as Business as usual <b>CLOSED</b></p>
<p><b><u>ED/20/21/1.17:</u></b></p> <p>Research, Develop and Implement Supportive technology, e.g. 999Eye, What3Words.</p>	<p>⇒ It was identified during the year that the implementation of this technology relied on an update to the Vision 5 Computer Aided Dispatch system which has now been implemented (May 2021). This action will form part of phase 2 of the Vision 5 project from 2021/22.</p>
<p><b><u>ED/20/21/1.18:</u></b></p> <p>Uniforms, ensure that are inclusive for all, and the availability of specialist uniform for different faiths/cultures.</p>	<p>⇒ Uniform roll-out completed.</p> <p>⇒ Any ED&amp;I requests received moving forwards will be dealt with on individual basis and EIA will be completed.</p> <p>⇒ Embedded as Business as usual <b>CLOSED</b></p>
<p><b><u>ED/20/21/1.19:</u></b></p> <p>Involve ED &amp; I in all review processes.</p>	<p>⇒ ED&amp;I Manager will be continually notified in all stages of new builds, change, research, development, new equipment and uniform</p> <p>⇒ Equality Impact Assessment (EIA) completed with E&amp;D Department on this Operational Preparedness Function Plan 2021/22 and EIAs will be completed when required.</p> <p>⇒ Embedded as Business as usual <b>CLOSED</b></p>

## OPERATIONAL RESPONSE:

### FP/20/21/2.1:

Continue to maintain the Health, Safety and Welfare of all Merseyside Fire & Rescue Service (MFRS) staff and promote and support a positive Health and Safety Culture.

- ⇒ Risk posed to individuals working different duty systems has continually been monitored throughout the year. Specific focus has been on the newer Hybrid duty systems, which has included scrutiny of retained activations, both day and night. With the system now embedded across all 3 stations (City, Wallasey, St. Helens) no significant issues were identified and the underpinning SI for Hybrid and DCWTR was recently published. The systems were monitored in line with the FRMS.
- ⇒ The quality assurance period of the updated version of the ARA book was completed throughout the year and feedback from H&S dept. & end users (Ops Crews) has seen the development of a V2 which has now gone to print to soon be published.
- ⇒ The work around FF contamination continued throughout the year and the publication of the University of Central Lancashire fire effluents report in Nov resulted in a full review and gap analysis by the H&S dept. finding the Service to be in a good position and providing some further recommendations for development. The report was a 'best practice guide'. Internal progress has also been made with further introductions such as Alco-gel and decon wipes on appliances and the continued roll out of x2 personal issue firekit.
- ⇒ In addition to the outlined objectives being met, the H&S dept. have heavily supported the Covid-19 response and as such seen the production of a variety of risk assessments, service instructions and guidance documents to allow staff to continue to operate safely, occupy service premises and support the multi-agency response.

<p><b><u>FP/20/21/2.2:</u></b></p> <p>Continue to strengthen Operational Response through improvements identified via effective monitoring, audit, assurance and review of the Operational Response function.</p>	<ul style="list-style-type: none"> <li>⇒ The Functional Plan outlined a restructure of the OSHENS debrief module in line with securing its tenability following a take-over by the firm IDEAGEN. This is also included exploring in-house alternatives. Whilst the overall restructure of the module did not take place the short to medium term tenability was confirmed and in-house options explored which led to the development of a new 'Hot Debrief' process. After further internal review it was deemed that the restructure could be delayed due to Hot debrief development.</li> <li>⇒ The draft station readiness Service Instruction was put into consultation and the various levels of engagement trailed throughout the year, including the revised GM inspection and the new AM visits. Feedback to end of year was positive and the process will continue.</li> <li>⇒ As detailed, a new 'Hot Debrief' process was introduced to address the capture of learning from smaller incidents. This uses the Microsoft Forms platform and is easily accessible from the Portal. This has seen great success and is becoming widely used by crews. The introduction of the process led to an overhaul of the whole debrief process and this led to the revised SI 0069 'incident debriefs'.</li> </ul>
<p><b><u>FP/20/21/2.3:</u></b></p> <p>Develop our people within Operational Response via continued and improved engagement to deliver a professional service which impacts positively on our communities and our workplace; and continue to effectively and efficiently manage resources to deliver an excellent operational response.</p>	<ul style="list-style-type: none"> <li>⇒ Service Delivery fully supported the continued promotion of the staff survey during the 2020/21 year. This was mainly facilitated by the engagement of senior Ops Response managers and the station based station manager cohort. The staff survey seen an 88% engagement score, the highest of all previous staff surveys.</li> <li>⇒ Crew Manager in development (CMD*) has been particularly successful. 50+ personnel have progressed through the gateway with a number moving onto the WMD gateway. A number have been appointed and 4 individuals were identified as high performers/future talent.</li> <li>⇒ A proposed review and restructure of the station manager cohort to incorporate responsibility across both a function and a station was placed on hold and will be revisited, for feasibility, at a later date.</li> <li>⇒ Response has continued to support the future response proposals and has assisted with the new and innovative proposals in the draft IRMP 2021/24.</li> </ul>



	<ul style="list-style-type: none"> <li>⇒ The third and final Hybrid station was implemented in Oct 2020 at the newly built Watson street (St. Helens fire station). This has been successfully running since.</li> <li>⇒ The community impact fund initiative was affected by the Covid-19 pandemic however it was still implemented within the year as seen in the agreement on the first initiative from St Helens station in conjunction with the Chrysalis centre for change.</li> </ul>
<p><b>EQUALITY, DIVERSITY AND INCLUSION:</b></p>	
<p><b><u>ED/20/21/2.4:</u></b></p> <p>Embed Inclusive Leadership and Management Coaching for Station Managers with the Diversity and Consultation Manager to ensure Managers have opportunities to learn and develop their Inclusive Management Skills (EO1, EO5).</p>	<ul style="list-style-type: none"> <li>⇒ The last year has been challenging due to COVID, however, the inclusive leadership discussed with station managers during 1-2-1's and monthly standardisation gave the group the foundation to be able to learn and develop their inclusive managements skills supported by the ED&amp;I team. They have all received unconscious bias training to better understand elements of inclusivity and develop their own skills and have been practically applying these skills in the workplace. Furthermore, and since the last update, a number of Station Managers have also recently completed coaching training which supports other skill sets.</li> <li>⇒ The Operational Response 'Group Managers' act as mentors to a number for the Operational Response Station Manager group.</li> <li>⇒ A number of substantive station managers are acting as mentors to the newer station managers to help develop their management and leadership styles.</li> </ul>
<p><b><u>ED/20/21/2.5:</u></b></p> <p>Continue to work with Station Managers, Watch Managers and crews to build on the improving E&amp;D data being collected during HFSCs (EO1, EO2, EO3, EO4, EO5).</p>	<ul style="list-style-type: none"> <li>⇒ As per the previous quarterly update in which we reported back the negative aspect of the country being in lockdown, the overall figure of completed HFSC's completed by operational crews was dramatically reduced and the drive to capture the required E &amp; D data was reinforced to crews.</li> <li>⇒ Comparisons have therefore been less indicative, however the E&amp;D data captured on HFSC forms continues to be monitored and continues to be discussed with station based Station Managers during 1-2-1's.</li> </ul>
<p><b><u>ED/20/21/2.6:</u></b></p>	

<p><b>Challenge inappropriate behaviour and improve the experience for all staff working at MFRA in particular those from Protected groups (EO1, EO4, EO5).</b></p>	<ul style="list-style-type: none"> <li>⇒ Inappropriate behaviour is challenged by staff when it is observed. The groundrules have been refreshed and the position of the Authority has been reinforced via staff engagement..</li> <li>⇒ The values, ground rules and code of conduct are the foundations of empowering staff to identify and challenge inappropriate behaviour and as the Service resumes to a degree of normality these will continue to be used to form discussions with staff. These will be reviewed in 2021/22</li> <li>⇒ Support is in place and offered by the station based Station Manager team.</li> </ul>
---	---

**PEOPLE & ORGANISATIONAL DEVELOPMENT:**

<p><b><u>FP/20/21/3.1:</u></b></p> <p>To support delivery of the organisational People Strategy and lead on the review of the Strategy for 2021-24.</p>	<ul style="list-style-type: none"> <li>⇒ Work continues with the review of the previous strategy and any work area carried over concluded through People Board in March.</li> <li>⇒ The design and implementation of the People Plan 2021-24 working towards conclusion.</li> </ul>
<p><b><u>FP/20/21/3.2:</u></b></p> <p>To deliver a comprehensive workforce plan, working with functional leaders to ensure our entire workforce is effective, resilient and supported by realistic succession plans.</p>	<ul style="list-style-type: none"> <li>⇒ A structure to identify, plan and address all workforce issues is now embedded , and reports into People Board , and the Development Review Board. <b>CLOSED</b></li> </ul>
<p><b><u>FP/20/21/3.3:</u></b></p> <p>To recruit, develop and promote talent via apprenticeships, the gateway and continued positive action to ensure our workforce reflects the communities we service and demonstrates the values of the Service.</p>	<ul style="list-style-type: none"> <li>⇒ The Apprenticeship scheme is now well embedded into the organisation and is used not only for Firefighter recruitment but across the Organisation in many Departments.</li> <li>⇒ The Financial position is also finalised which ensures the income is reclaimed form the Apprenticeship Levy.</li> </ul>

<p><b><u>FP/20/21/3.4:</u></b></p> <p>To maximise the physical and mental wellbeing of our people providing a high quality occupational health provision.</p>	<ul style="list-style-type: none"> <li>⇒ This is again an ongoing piece of work that has excelled during the COVID Lockdowns. Staff have received various levels of support from not only a physical health perspective, but mental Health, and related family issues.</li> <li>⇒ The occupational Health Team, and Doctors have continued to provide a high quality service.</li> <li>⇒ The team are currently developing a Long COVID rehabilitation programme.</li> </ul>
<p><b>EQUALITY, DIVERSITY AND INCLUSION:</b></p>	
<p><b><u>ED/20/21/3.5:</u></b></p> <p>To continue to actively engage with our communities at positive action events to encourage diversification of the workforce.</p>	<ul style="list-style-type: none"> <li>⇒ The ability to interact as the Authority would normally do has been restricted due to the implications of a COVID Lockdown. Work is planned to increase as the Governments roadmap is delivered, and further expansion of the positive action strategies.</li> </ul>
<p><b><u>ED/20/21/3.6:</u></b></p> <p><i>To continue to consider reasonable adjustments which can impact on an employee’s capability to undertake their role to their full potential.</i></p>	<ul style="list-style-type: none"> <li>⇒ Business as usual</li> </ul> <p><b>CLOSED ACTION:</b></p>
<p><b><u>ED/20/21/3.7:</u></b></p> <p><i>Each Service Instruction is assessed and a relevant Equality Impact Assessment produced as applicable.</i></p>	<ul style="list-style-type: none"> <li>⇒ Business as usual</li> </ul> <p><b>CLOSED ACTION:</b></p>

<b>COMMUNITY RISK MANAGEMENT:</b>	
<b>PREVENTION:</b>	
<p><b><u>FP/20/21/4.1:</u></b></p> <p>Implement the revised Home Safety Strategy inclusive of using person and place based factors to keep people safer in their homes. Our revised strategy document will feature within revised IRMP Planning timeframe for 2021 – 2024.</p>	<p>MFRS Home Safety Strategy has been impacted by Covid 19.</p> <ul style="list-style-type: none"> <li>⇒ HFSC delivery from Operational Crews has been reduced, however we have maintained high levels of performance from advocates for Safe and Well Visits).</li> <li>⇒ To assist in risk reduction we delivered over 200,000 leaflets this last quarter and increased social media messaging (remain open).</li> </ul>
<p><b><u>FP/20/21/4.2:</u></b></p> <p>Ensure that Safeguarding is fully embedded in the Service.</p>	<ul style="list-style-type: none"> <li>⇒ We have continued to be progressive in this area, we have developed a dedicated board, uplifted awareness and training for all staff and also continued to be an active and engaged stakeholder to the NFCC and local partners (remain open).</li> </ul>
<p><b><u>FP/20/21/4.3:</u></b></p> <p>Further expansion and development of MFRS volunteers.</p>	<ul style="list-style-type: none"> <li>⇒ External volunteering has been impacted due to COVID, however our internal volunteering in support of COVID activity has been exemplary (remain open).</li> </ul>
<b>COMMUNITY SAFETY:</b>	
<p><b><u>FP/20/21/4.4:</u></b></p> <p>Produce and implement a Community Safety Strategy that encapsulates Arson, Road and Water Safety and Youth Engagement. Our revised strategy document will feature within the revised IRMP Planning timeframe for 2021-2024.</p>	<ul style="list-style-type: none"> <li>⇒ We have produced a Community Safety Strategy and this is embedded into the Functional Delivery Plan. <b>CLOSED</b></li> </ul>

<b>YOUTH ENGAGEMENT:</b>	
<p><b><u>FP/20/21/4.5:</u></b></p> <p>We will effectively engage with children and young people to determine their views in the delivery of MFRS Youth Engagement Programmes.</p>	<p>⇒ MFRS continues to deliver Youth Engagement activity across Merseyside, a review paper will be submitted to the Prevention Board (Summer 2021). <b>closed.</b></p>
<b>EQUALITY, DIVERSITY AND INCLUSION:</b>	
<p><b><u>ED/20/21/4.6:</u></b></p> <p>To Improve the Equality Monitoring data collected from Home Fire Safety Checks (HFSC) by producing an annual Equality Monitoring report to show where HFSC have been delivered in relation to the Protected Groups.</p>	<p>⇒ Equality monitoring of HFSC activity was included in the 2019/20 ED&amp;I Annual Report and will be included in the 2020/21 report which will be presented to Members in September.</p>
<p><b><u>ED/20/21/4.7:</u></b></p> <p>To increase the use of partnerships to support Knowing our Communities and deliver campaigns. We will continue to develop diverse community engagement and partnership work to ensure that we meet the needs of diverse communities.</p>	<p>⇒ We continue to be represented and all strategic and operational level partnerships including LSPs, CSPs, H&amp;WB Boards, Road &amp; Water Safety, CONTEST and safeguarding.</p>
<p><b><u>ED/20/21/4.8:</u></b></p> <p>To continue to deliver and embed a MF&amp;RS Safeguarding Strategy.</p>	<p>⇒ As above <b>closed.</b></p>

**COMMUNITY RISK MANAGEMENT:**

**PROTECTION:**

<p><b><u>FP/20/21/5.1:</u></b></p> <p>To implement the Protection Strategy including a focus on:</p> <ul style="list-style-type: none"> <li>• <b>Resource and Asset Review-</b> To analyse demand on the department against external and internal drivers to reduce risk.</li> <li>• <b>Data and Digital Solutions (MIS) –</b> Develop applications for the Management of Protection Information (MIS) so that Protection activity can be effective and efficient.</li> </ul>	<ul style="list-style-type: none"> <li>⇒ Staff Survey and Analysis of department demand including statutory obligations, other department workload including a central management support and workload requests from other departments.</li> <li>⇒ Building Risk Review Team established.</li> <li>⇒ Grenfell Tower Inquiry project with Protection Function. Fire Engineer post.</li> <li>⇒ Recruitment of WM’s Fire Safety Inspectors and Fire Safety Auditors.</li> <li>⇒ Pan Merseyside working targeting high risk premises.</li> <li>⇒ New MIS application CFMIS procured and currently being configured.</li> <li>⇒ Phase 1 implementation due late May 2021, hopefully resulting in increased productivity through agile mobile solutions and introducing new ways of working to compliment CFMIS.</li> </ul>
---	---

<p><b><u>FP/20/21/5.2:</u></b></p> <p>Information and Guidance Establish a Framework for Information and Guidance to provide both our department and partners with clear up to date and appropriate information.</p>	<ul style="list-style-type: none"> <li>⇒ New up to date Protection Portal page launched.</li> <li>⇒ New folder structure for department folders.</li> <li>⇒ Paper files scanned to electronic files and hard copies destroyed.</li> <li>⇒ Review of Standard letters and paragraphs.</li> <li>⇒ Review of Protection guidance</li> <li>⇒ Revised SI index and Protection Guidance Notes developed.</li> <li>⇒ Launch of Protection Information Notes and Protection Guidance Governance Group</li> </ul>
--	--

<p><b><u>FP/20/21/5.3:</u></b></p> <p>The built environment Review our approach to high risk and tall buildings, considering the Grenfell Tower Inquiry, to maximise efficiency and effectiveness of operational response to incidents and protection activity in line with risk based inspection.</p>	<ul style="list-style-type: none"> <li>⇒ The Building Risk Review (BRR) work is progressing well and we are exceeding the trajectory provided to Government in August 2020.</li> <li>⇒ The programme is still on track to deliver by December 2021.</li> <li>⇒ The team are working with local authorities and building owners to ensure remediation is completed where necessary, and that interim measures are in place where required.</li> <li>⇒ MFRS continues to provide input and guidance nationally through its work with the NFCC Fires in the Tall Buildings Working Group, to address the implementation of any key areas of the Grenfell Tower Inquiry (GTI).</li> <li>⇒ The GTI Project is still underway with completion and implementation in many areas.</li> <li>⇒ The Service has made considerable advances in developing operational response to the evacuation of high rise residential buildings, where the building is believed to be failing.</li> <li>⇒ Protocols are in place for the sharing of Protection led information via Operational Response and Operational Preparedness, to identify buildings that present greater risk.</li> </ul> <p>Both pieces of work will be ongoing.</p>
<p><b>EQUALITY, DIVERSITY AND INCLUSION:</b></p>	
<p><b><u>ED/20/21/5.4:</u></b></p> <p>The training of all Protection Officers to be able to identify the signs of Modern Slavery and Human Trafficking. The provide training for Protection Officers to correctly refer concerns over Modern Slavery and Human Trafficking to the relevant authority.</p>	<ul style="list-style-type: none"> <li>⇒ This training has not been possible due to availability of specific partner agencies. We will look to secure appropriate training once they have recommenced delivery.</li> </ul>

<b>NATIONAL RESILIENCE:</b>	
<b><u>FP/20/21/6.1:</u></b> To utilise the National Strategic Risk Assessment and value for money principles as a foundation to inform the Home Office New Dimensions 2 project.	<b>ACTION CLOSED</b>
<b><u>FP/20/21/6.2:</u></b> To conduct national business continuity planning surveys and provide an accurate position in regards to broader Fire and Rescue Service resilience arrangements.	<b>ACTION CLOSED</b>
<b><u>FP/20/21/6.3:</u></b> Contribute to the TDA site development project to ensure facilities that are sourced/developed are suitable and sufficient to enable MFRS to continue to host and deliver National Resilience skills acquisition and refresher courses.	<b>ACTION CLOSED</b>
<b><u>FP/20/21/6.4:</u></b> Develop relationships with NFCC comms in pursuit of a more proactive approach to communications, so as to heighten awareness of NR across the sector and with other stakeholders; increase the use of Social media and podcasts to highlight positive elements within NR and to enhance coordination during incidents of national interest.	<b>ACTION CLOSED</b>
<b><u>FP/20/21/6.5:</u></b>  Deliver phase 2 of the NR website development project.	⇒ Phase 1 enhancements and impacts arising from Covid have delayed the full transition for phase 2 of the website development project. This item has been carried over to FP 2021/22 with funding and approval from Home Office having been sought and confirmed.



## STRATEGY & PERFORMANCE:

### FP/20/21/7.1:

- a. To enhance and develop Equality, Diversity and Inclusion further for the organisation, staff, partners and services we provide.
- b. To deliver the fourth staff survey – using the engagement and Think People principles.

- ⇒ A new mandatory Equality, Diversity and Inclusion LearnPro module has been developed for launch in May. It will complement the face to face training.
- ⇒ An Audit of ED&I provision in MFRS has been completed with the report delivered in April. SLT and Network Chairs will meet to discuss the outcomes in May.
- ⇒ A review of the Equality Impact Assessment process is underway.
- ⇒ The Networks continue to flourish and Network Chairs are embedded in the Strategy and Performance ED&I Board
- ⇒ Face to face training has been curtailed during the pandemic but due to start again in May.
- ⇒ Several opportunities for online ED&I learning and awareness have been created during the past year that have attracted a much wider variety of staff than would have been possible if these had been held in person.
- ⇒ The staff survey was completed in November and December with significant improvements in staff engagement.

### FP/20/21/7.2:

To make the most effective use of organisational information whilst continuing to improve information security and governance.

- a) Continuing to digitally transform the organisation
- b) Continuing to ensure compliance with information governance and security legislation and regulations.

- ⇒ New MIS application CFRMIS procured and currently being configured.
- ⇒ Phase 1 implementation due late May 2021, with the intended consequence of increased productivity through agile mobile solutions and introducing new ways of working to compliment CFRMIS.
- ⇒ National Resilience Application - A new release was deployed in March which contained the new Assurance Module – this allows NRAT Officers to conduct assurance visits in line with the National Resilience Assurance Framework. The focus of this development has been replacing the legacy ‘assurance cycle’ functionality. The team have now moved on to developing the Training Management System. This new module will allow the training team to manage National Resilience training courses across all capabilities.
- ⇒ A number of new electronic forms have been produced which have helped to improve and automate processes. These include: Hot Debrief Return Form; Workplace COVID Testing Form; Apprentice Monitoring Form.

<p><b><u>FP/20/21/7.3:</u></b></p> <p>Develop and maintain effective communications and media management with high quality presentation and promotion of information, enhancing the profile and reputation of the service.</p>	<ul style="list-style-type: none"> <li>⇒ A draft communications strategy has been developed and will be completed in early 2021/22.</li> <li>⇒ There has been a significant increase in internal communications resulting from the pandemic, but it is intended to maintain this improved approach to internal communications as it has been well received and cited in the staff survey as having improved.</li> <li>⇒ The team has continued to support the full range of MFRS activities including recruitment, Bonfire Period and other campaigns and preparation for inspection. Social Media activity has continued and been enhanced at times with the use of video and infographics increasing and being well received.</li> </ul>
<p><b><u>FP/20/21/7.4:</u></b></p> <p>Create a 2021-2024 Integrated Risk Management Plan aligned to the Medium Term Financial Plan and People Strategy.</p>	<ul style="list-style-type: none"> <li>⇒ The draft IRMP 2021-24 is in a 12 week period of consultation until 24<sup>th</sup> May 2021. We have consulted with the public, partners, shareholders, staff and representative bodies. The final IRMP will go the Fire Authority on 1<sup>st</sup> July for approval then publication.</li> </ul>
<p><b><u>FP/20/21/7.5:</u></b></p> <p>Work with other functions to deliver a successful HMICFRS inspection for MFRS.</p>	<ul style="list-style-type: none"> <li>⇒ The timetable for the HMICFRS inspection has been finalised. The inspection starts week commencing 10<sup>th</sup> May and last for 6 weeks. Due to Covid 19 restrictions apart from the Strategic Briefing on 13<sup>th</sup> May the inspection will be carried out remotely via Teams. Documents and data have been requested and supplied to the Inspection Team.</li> </ul>
<p><b><u>FP/20/21/7.6:</u></b></p> <p>Implement an ICT Infrastructure that will enable efficiency through current and emerging technology.</p>	<ul style="list-style-type: none"> <li>⇒ 1 CAD-MIS project: Replacement of the Vision 3 CAD-MIS</li> </ul> <p>The production, Reference(test) and Training systems are in place and are being populated with data. Train the trainer has taken place and plans are being made for user training and cutover to Vision 5</p> <p>The training room has been commissioned and Vision training is underway. Completion expected in early 2021/22</p>

	<ul style="list-style-type: none"> <li>⇒ 2 Complete the rollout of Windows 10</li> </ul> <p>telent staff are taking voluntary overtime to complete the rollout by upgrading the TDA and Station desktops. This will continue into 2021/22</p> <ul style="list-style-type: none"> <li>⇒ 3 Move to Office365 which includes e-mail hosting by Microsoft</li> </ul> <p>A number of telent staff and a number of the Development Team have been successfully migrated to O365. Failover testing has been tested. Completion expected in early 2021/22</p>
<p><b><u>FP/20/21/7.7:</u></b></p> <p>Respond to national initiatives. The service is scheduled to switch from the current Airwave communication system to the ESN which will provide broadband-type connectivity, allowing us to utilise application-type systems. Consequently, we are working to ensure the infrastructure and software systems support this.</p>	<p>Please note, this national programme spans several years. Through the project board, and using project management principles, manage the preparations for transition to the ESN including:</p> <ul style="list-style-type: none"> <li>⇒ 7.2 Have a fully Operational connection to the ESN upon completion</li> </ul> <p>As the only FRS with a functioning DNSP connection into the ESN, Merseyside FRS will continue to provide assistance in the testing and development of ESN Devices, UK coverage testing and Service Management applications.</p> <ul style="list-style-type: none"> <li>⇒ 7.3 Identify and manage all opportunities and risks associated with the project, locally, regionally and nationally</li> </ul> <p>The Merseyside FRS MoU relating to Assurance Partner activities has been reviewed and signed by the Senior Solicitor. This will enable Merseyside FRS to remain an “early adopter”, influence the direction and pace of the ESN Programme and benefit from the early introduction of new technology.</p> <ul style="list-style-type: none"> <li>⇒ 7.4 Work with the national programme and regional partners to provide assistance in testing and developing ESN products and services where possible</li> </ul> <p>The initial phase of our Assurance Partner activities has begun with a proposal from our Fire Control systems supplier ‘Capita’ to deliver a mirrored</p>

	<p>communications platform of sufficient scope to support the testing and transition planning phases later in the year.</p> <p>In partnership with our colleagues in the North West, coverage testing continues as we capture and monitor the EE signal strength for locations across Merseyside and the region.</p>
<p><b><u>FP/20/21/7.8:</u></b></p> <p>Consider ways in which catering services can become more environmentally sustainable.</p>	<p>⇒ No change since the last update. Due to the Pandemic and 2021 lockdown the SHQ canteen was closed for several weeks, reducing the ability to trial new approaches. That said, the more sustainable changes made earlier in 2021/22 have been maintained.</p>
<p><b>EQUALITY, DIVERSITY AND INCLUSION:</b></p>	
<p><b><u>ED/20/21/7.9:</u></b></p> <p>Create a strong cohesive organisation that is positive to rising to the future challenges we face.</p>	<p>Performance against all these objectives is reported back in detail in our Annual ED&amp;I report which is due to be presented to Members in September.</p>
<p><b><u>ED/20/21/7.10:</u></b></p> <p>Ensure that people from diverse communities receive equitable services that meet their needs.</p>	
<p><b><u>ED/20/21/7.11:</u></b></p>	

<p><b>Reducing fires and other incidents amongst the vulnerable protected groups.</b></p>	
<p><b><u>ED/20/21/7.12:</u></b></p> <p>To ensure that staff are better equipped to deliver their roles whilst showing due regard to the need to: “eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Equality Act, advance equality of opportunity and foster good relations between people who share a protected characteristic and those who don’t.”</p>	

<p><b>FINANCE:</b></p>	
<p><b><u>FP/20/21/8.1:</u></b></p> <p>Monitor the development of the Comprehensive Spending Review (CSR) 2020; change in the Authority funding mechanism (75% Retained Business Rates); the outcome of the fair funding review.</p>	<ul style="list-style-type: none"> <li>⇒ Completed with the announcement of Comprehensive Spending Review 2020, in December 2020.</li> <li>⇒ The settlement will now feed into the 2021/22 Budget and medium term financial plan.</li> </ul>
<p><b><u>FP/20/21/8.2:</u></b></p> <p>To monitor the outcome of the McCloud pension challenge.</p>	<ul style="list-style-type: none"> <li>⇒ HMT/HMRC/MHCLG/HO and other Government Departments have yet to issue formal guidance on matters arising from the proposed final remedy (retrospective annual and lifetime allowance excesses, tax relief on pension contributions for retired members, interest and compensation payments, etc.).</li> <li>⇒ In addition, primary legislation is likely to be required which means the final formal sign-off of the McCloud remedy proposal may be in October 2023.</li> </ul>

	<ul style="list-style-type: none"> <li>⇒ Officers are monitoring the situation and would hope to receive formal direction from the relevant Government departments, or agree to work with other pension administrators on a way forward to implement the remedy as soon as possible.</li> <li>⇒ The 2021/22 Finance Function plan includes an action to monitor the outcome of the McCloud pension challenge.</li> </ul>
<p><b><u>FP/20/21/8.3:</u></b></p> <p>Maintain and Update the Authority on the progress of implementing the approved 2020/21 financial plan, and in particular any expenditure assumptions and the ongoing delivery of approved saving proposals.</p>	<ul style="list-style-type: none"> <li>⇒ Complete – the 2020/21 Outturn report expected in July 2021 will formally report back on the financial performance in 2020/21 to Members.</li> </ul> <p><b>CLOSED</b></p>
<p><b><u>FP/20/21/8.4:</u></b></p> <p>Consider the potential future challenge beyond 2020/2021 in relation to:</p> <ul style="list-style-type: none"> <li>• CSR 2020 and what that might mean IF the Authority has to make significant revenue savings over the CSR 2020 period, (2021/2022 –2024-2025).</li> <li>• The affordability and sustainability of the current level of Annual capital spend funded through borrowing (£3.4mp.a. based on the 2024/2025 capital programme) and what can be done to reduce the pressure on the current and future MRP/Interest budget up to 2029/2030.</li> <li>• Funding of new and additional investment in the Service beyond 2020/2021 required to modernise and invest in up-to-date infrastructure –taking into account the previous bullet points.</li> </ul>	<ul style="list-style-type: none"> <li>⇒ Complete and reported back to members via the updated Medium Term Financial Plan that went to the Budget Authority in February 2021.</li> </ul>

<b>LEGAL, PROCUREMENT, ESTATES AND DEMOCRATIC SERVICES</b>	
<b>LEGAL:</b>	
<p><b><u>FP/20/21/9.1:</u></b></p> <p>Explore the provision of an overarching insurance policy for UK ISAR further to MFRA appointed as lead authority.</p>	<p><b>ACTION CLOSED IN QTR 3</b></p>
<b>PROCUREMENT:</b>	
<p><b><u>FP/20/21/9.2:</u></b></p> <p>Deliver new projects and further improvements in respect of National Resilience asset refresh and LTCM activity.</p>	<ul style="list-style-type: none"> <li>⇒ The LTCM variable charges, which remained well under budget for this year and is also reflective of the budget as a whole. Unfair Wear and Tear has been progressed during the year and any that remain outstanding will be carried forward into the next financial year.</li> <li>⇒ The procurement of ND1 Asset Refresh, to maintain contract steady state prior to ND2, continued to progress well. Asset Refresh included dis-robe and re-robe via the Prime Contractor. Some USAR Training equipment was also provided by the Prime Contractor for NR USAR Training &amp; Delivery. USAR Safe Working at Heights (SWAH) Ropes and Harness has been completed/implemented, ensuring SWAH regulation compliancy which were procured following an open tender procedure.</li> </ul>
<p><b><u>FP/20/21/9.3:</u></b></p>	<ul style="list-style-type: none"> <li>⇒ Contract for new procurement portal awarded for 3 years with option to extend.</li> </ul>

<p>Undertake review of procurement policies, procedures and processes to ensure current best practice in utilised across the Authorities.</p>	<ul style="list-style-type: none"> <li>⇒ Feedback provided on proposed new procurement regulations (green paper) due for implementation in 2023.</li> <li>⇒ A more comprehensive contracts register was published on the Authority’s website’s to improve transparency allow more efficient responses to freedom of information requests.</li> </ul>
<p><b>DEMOCRATIC SERVICES:</b></p>	
<p><b><u>FP/20/21/9.4:</u></b></p> <p>To make greater use of technology to improve engagement between Members and staff; and to raise awareness of the Authority and its Committees.</p>	<ul style="list-style-type: none"> <li>⇒ Engagement between staff and Members has continued with a virtual staff engagement day being successfully held during quarter four which was received well by all. The continued use of remote learning lunches and engagement events including station visits has served to imbed and improve engagement and awareness of the Authority.</li> </ul>
<p><b><u>FP/20/21/9.5:</u></b></p> <p>To embed improved scrutiny processes and practices across the Authority, to ensure scrutiny is adding value and contributing to tangible outcomes.</p>	<ul style="list-style-type: none"> <li>⇒ A Rapid Review was undertaken in this quarter over the role of volunteers and in preparation for a new forward work plan a staff engagement day is planned for Members to identify areas they wish to scrutinise in the new municipal year.</li> </ul>
<p><b>ESTATES AND FACILITIES:</b></p>	
<p><b><u>FP/20/21/9.6:</u></b></p> <p>Implementation of the 5-year capital build programme, taking into consideration potential future station mergers and changes in the IRMP.</p>	<ul style="list-style-type: none"> <li>⇒ New St Helens station fully operational</li> <li>⇒ Heswall Major refurbishment – works started on site 11<sup>th</sup> Jan 2021 for 20 weeks due to complete June 2021.</li> <li>⇒ TDA project continues to be developed</li> <li>⇒ Feasibility studies and early design started on Bromborough, speke and old swan</li> <li>⇒ Newton Le Willows LLAR scheme redesign in preparation for Planning submission june / July 2021</li> </ul>
<p><b>EQUALITY, DIVERSITY AND INCLUSION:</b></p>	



**ED/20/21/9.7:**

*To ensure that Legal, Procurement, Democratic Services and Estates have the skills and knowledge to support colleagues, Members and the community equitably.*

**ACTION CLOSED**

<b>Glossary of Terms:</b>	
24HRWTR	24 hour whole time retained
ADF	Accidental Dwelling Fire
AGM	Annual General Meeting
AM	Area Manager
APB	Annual Pension Benefit
ARA	Analytical Risk Assessment
ASB	Anti-Social Behaviour
BBFa	Better Business for All
C&C	Command and Control
CBT	Crew Based Training
CFOA	Chief Fire Officers Association

CFP	Community Fire Prevention
CFP	Community Fire Protection
CPD	Continuous Professional Development
CQC	Care Quality Commission
CRM	Community Risk Management
CSP	Community Safety Partnership
DCFO	Deputy Chief Fire Officer
DCLG	Department of Communities & Local Government
DCWTR	Day Crewing Whole-time Retained
DIM	Detection, Identification and Monitoring
DoH	Department of Health
DSE	Disability Equalities Scheme
E&D	Equality & Diversity
E,D& I	Equality, Diversity and Inclusion
EET	Education, Employment or Training
EFAD	Emergency Fire Appliance Driver
EIA	Equality Impact Assessment
EMR	Emergency Medical Response
ESMCP	Emergency Services Mobile Communication Programme
ESN	Emergency Services Network
FF	Fire-fighter
FSN	Fire Support Network
FRA	Fire & Rescue Authority
FRS	Fire & Rescue Service
GDPR	General Data Protection Regulations
GM	Group Managers
HFSC	Home Fire Safety Check's
H&S	Health & Safety
HR	Human Resources
HVP	High Volume Pump

IC	Incident Commander
ICCS	Integrated Communication Control System
ICT	Information Communication Technologies
ICU	Incident Command Unit
IIT	Incident Investigation Team
IRMP	Integrated Risk Management Plan
IRS	Incident Reporting System
ITHC	Information Technology Health Check
JCC	Joint Control Centre
KSI	Killed and Seriously Injured (in relation to road safety)
LCR	Liverpool City Region
LFRS	Lancashire Fire & Rescue Service
LJMU	Liverpool John Moores University
LLAR	Low Level Activity Risk
LPB	Local Pensions Board
LPI	Local Performance Indicators
LSP	Local Safeguarding Partnership
MAIC	Multi Agency Information Cell
MASH	Multi Agency Safeguarding Hub
MDT	Mobile Data Terminal
MERPOL	Merseyside Police
MFD	Multi-Functional Device
MFRA	Merseyside Fire & Rescue Authority
MFRS	Merseyside Fire & Rescue Service
MHFA	Mental Health First Aid
MIS	Management Information System
MORR	Management of Road Risk
MoU	Memorandum of Understanding
MRSP	Merseyside Road Safety Partnership
MTFA	Marauding Terrorist and Firearms
NFCC	National Fire Chiefs Council
NJC	National Joint Council
NOG	National Operational Guidance
NOL	National Operational Learning

NRA	National Risk Assessment
NRAT	National Resilience Assurance Team
NPG	National Procurement Group
NW	North West
NWAS	North West Ambulance Service
NWFO	North West Finance Officer
NWFRS	North West Fire and Rescue Services
NWRPT	North West Regional Procurement Team
OH	Occupational Health
OIG	Operational Intelligence Group
OJEU	Official Journal of the European Union
PAS	Primary Authority Scheme
PCC	Police & Crime Commission
PID	Project Initiation Document
POC	Proof of Concept
POD	People & Organisational Development
PQQ	Pre-Qualification Questionnaire
PPE	Personal Protective Equipment
PPRS	Prevention, Protection and Road Safety
PRM	Premises Risk Model
PTI	Physical Training Instructor
PVP	Protecting Vulnerable People
RBIP	Risk Based Inspection Programme
RM1	Risk Management 1
RNLI	Royal National Lifeboat Institute
RLSS	Royal Life Saving Society
RRRG	Road Risk Review Group
RSL	Registered Social Landlord
RTC	Road Traffic Collision
SCG	Strategic Command Group
SI	Service Instruction

SIRAH	Site Information Risk and Hazard
SIT	Street Intervention Team
SLT	Strategic Leadership Team
SME's	Small Medium Enterprises
SM	Station Manager
SOFSA	Simple Operational Fire Safety Assessment
SOP	Standard Operational Procedure
SPA	Safe Person Assessment
SSRI's	Site Specific Risk Information
StARS	Staff Attendance Record System
T&C's	Terms and Conditions
TCG	Tactical Command Group
TDA	Training and Development Academy
TRM	Time and Resource Management
VPI	Vulnerable Person Index
UAT	User Acceptance Test
UKFRS	United Kingdom Fire and Rescue Service
VR	Virtual Reality
WTR	Whole-time Retained
YE	Youth Engagement
YOS	Youth Offending Scheme
YPS	Your Pension Service

This page is intentionally left blank

# SERVICE DELIVERY PLAN 2020-21:

April 2020 to March 2021

## INDEX

**Total emergency calls**

**Total incidents**

**Total fires**

**Primary fires**

**Secondary fires**

**Special services**

**False alarms**

**Attendance standard**

**Sickness absence**

**Carbon output**

### Objective:

Good performance is reflected on the top bar of each indicator graph. We use Red, Amber, and Green to indicate how each indicator is performing. Amber reflects an indicator is within 10% of target.



## BENCHMARK INDICATORS

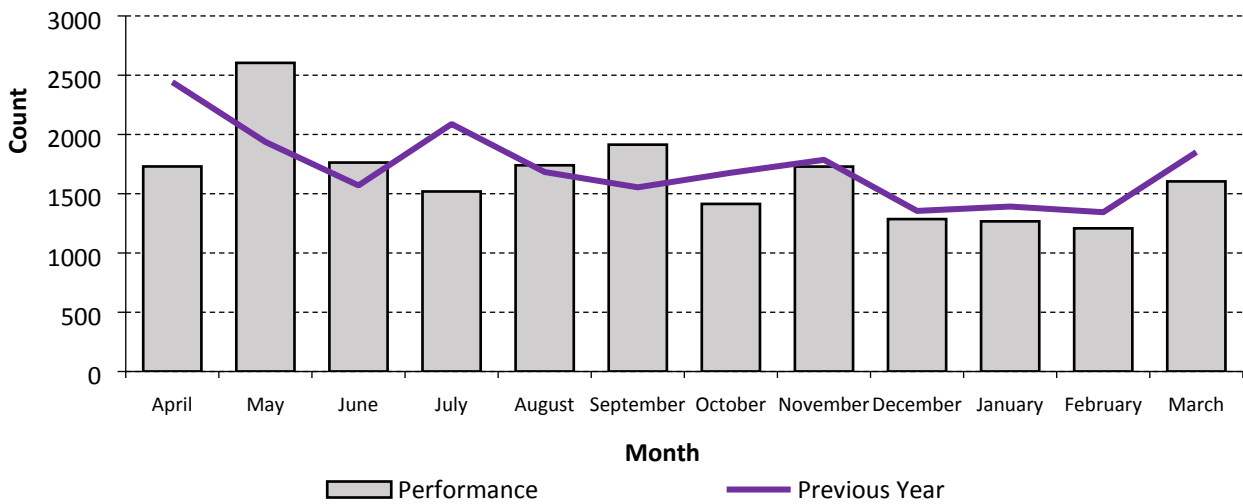
### TC00 Total number of emergency calls received

Service Plan Target

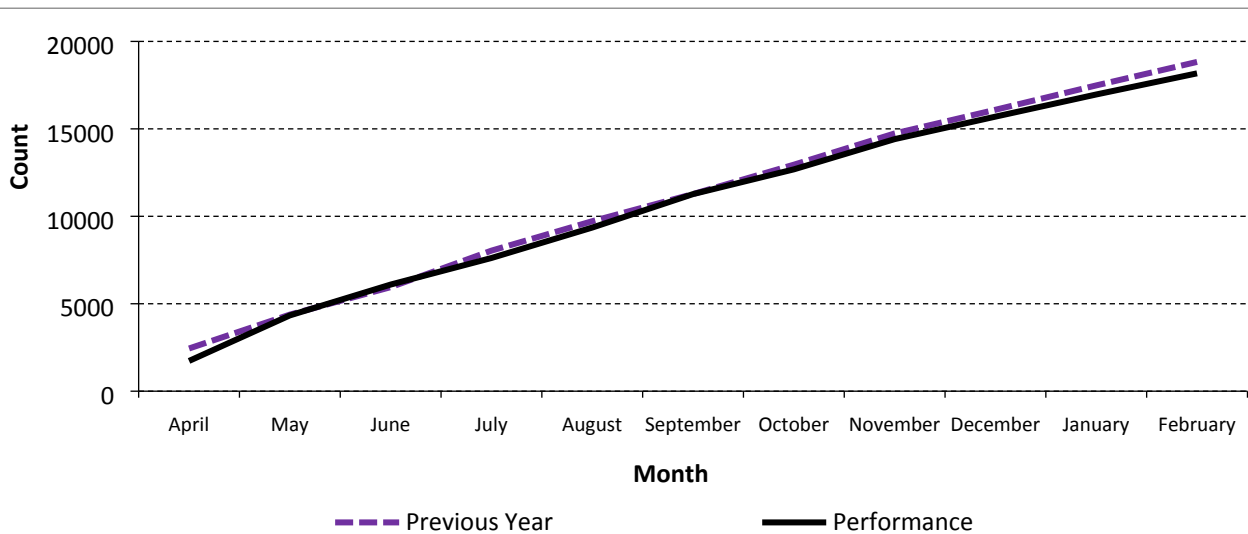
Quality Assurance

Progress to Date

19778



### Cumulative Performance



TO00 Total number of emergency calls received

For quality assurance only

DO22 The % of 999 calls answered within 10 seconds

TC00

During 2020/21, 19778 emergency calls were received at Fire Control. This is 901 less calls than in 2019-20. During the Winter months the number of calls decreased with a slight increase in March. This indicator does not have a target it is monitored for quality assurance only

DO22  
DO29

Cumulatively 98.2% of 999 calls were answered within 10 seconds. This achieved the 95% target.  
On average it takes 1.13 minutes for Fire Control to process a life risk call



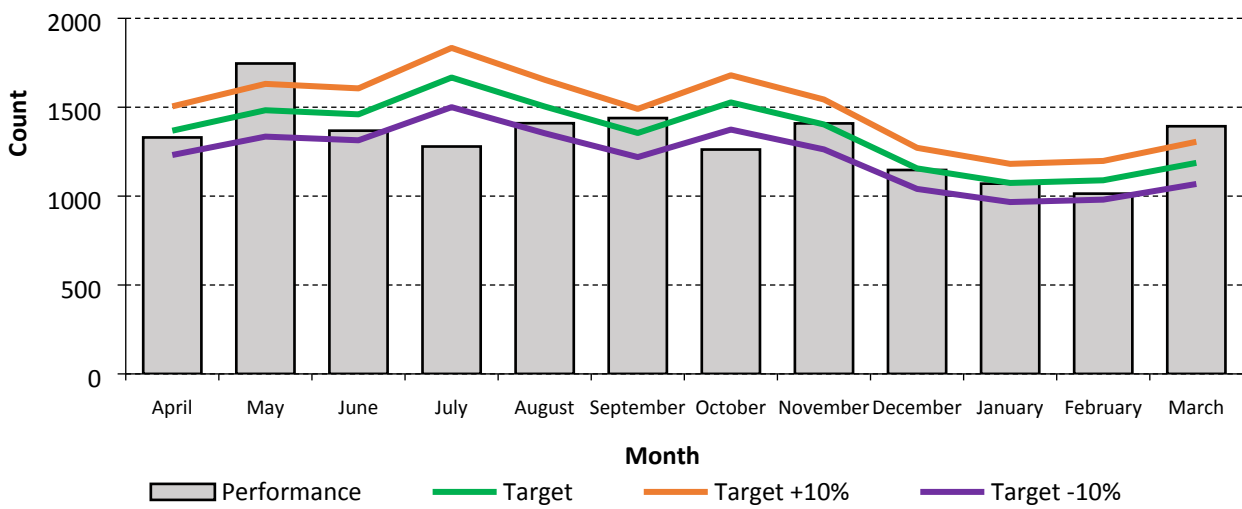
## TC01 The total number of incidents attended

Service Plan Target  
Apr-Mar 2020/21

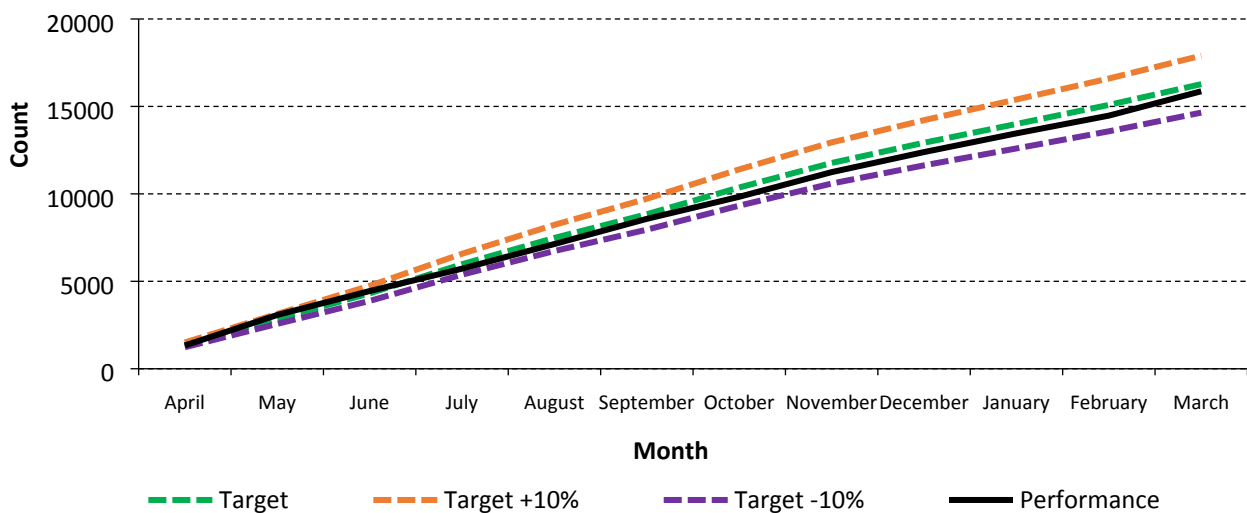
16273

Progress to Date

15867



## Cumulative Performance



## TC01 Total number of incidents attended

TC01

Fire crews attended 15867 incidents in 2020-21, 406 below the annual target (16273). This is 674 more than in 2019-20 (15193). Incidents attended spiked in May, November and March but fell over the Winter months. Covid 19 restrictions were in place for a large part of this year – as such we attended an increased number of calls from our blue light partners, particularly North West Ambulance Service.

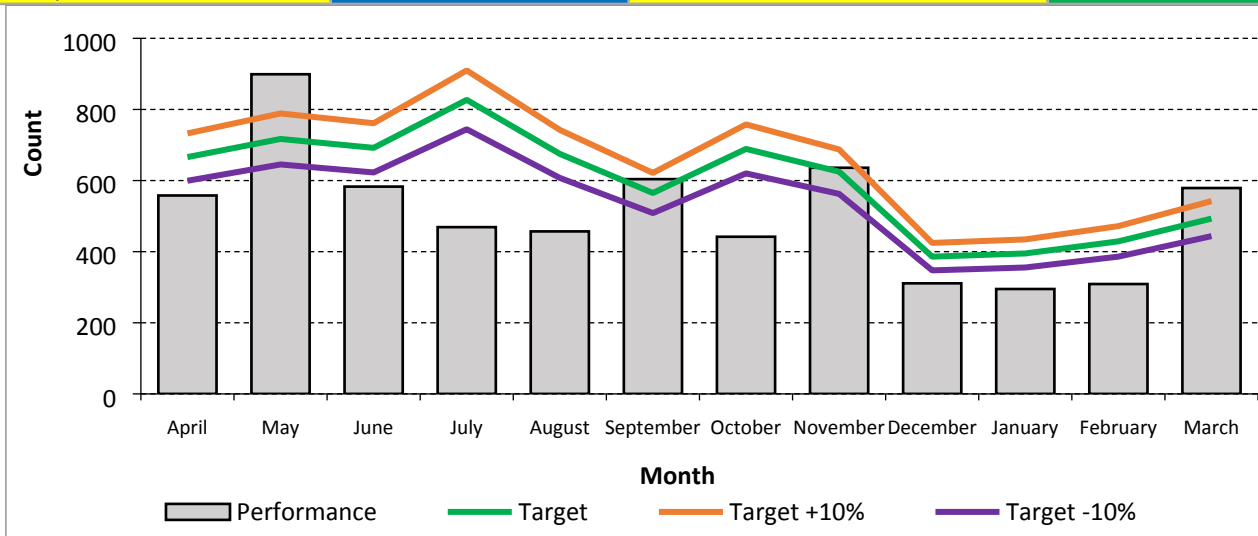
## TC02 Total number of fires attended in Merseyside

Service Plan Target  
Apr-Mar 2020/21

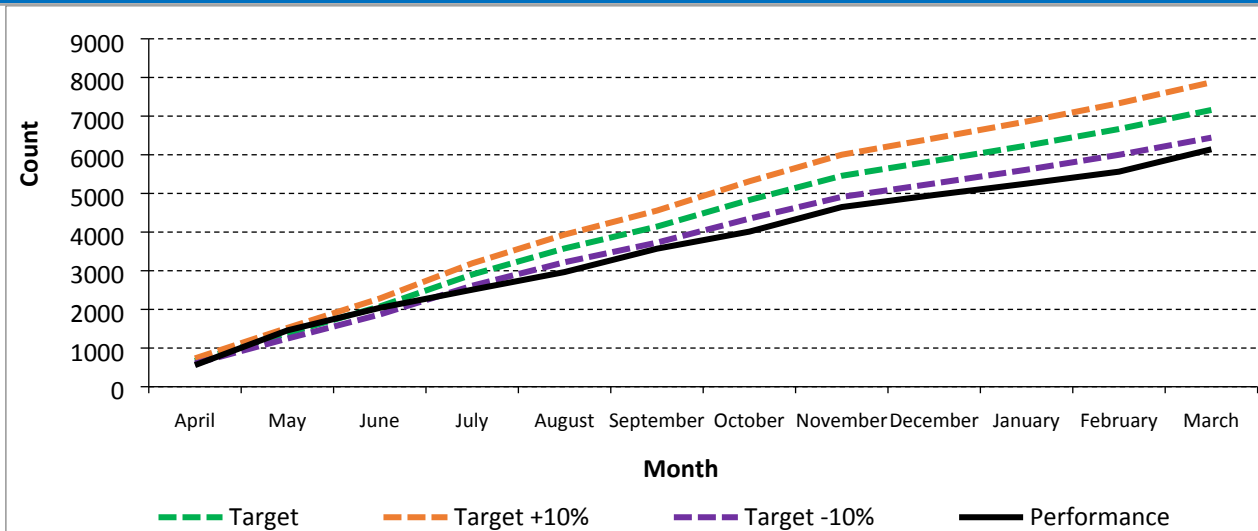
7159

Progress to Date

6142



### Cumulative Performance



### TC02 Total number of Fires attended in Merseyside

TC02

Overall the target for 2020/21 (7159) has been met with 6142 fires attend. This is 504 fewer incidents than in 2019/20. Very hot weather in May caused a spike in incidents with 899 fires attended. There was another rise in September and the usual increase in fires around the bonfire period in November. As previously stated this was due to an increased number of secondary, deliberate anti-social behaviour and accidental small fires.

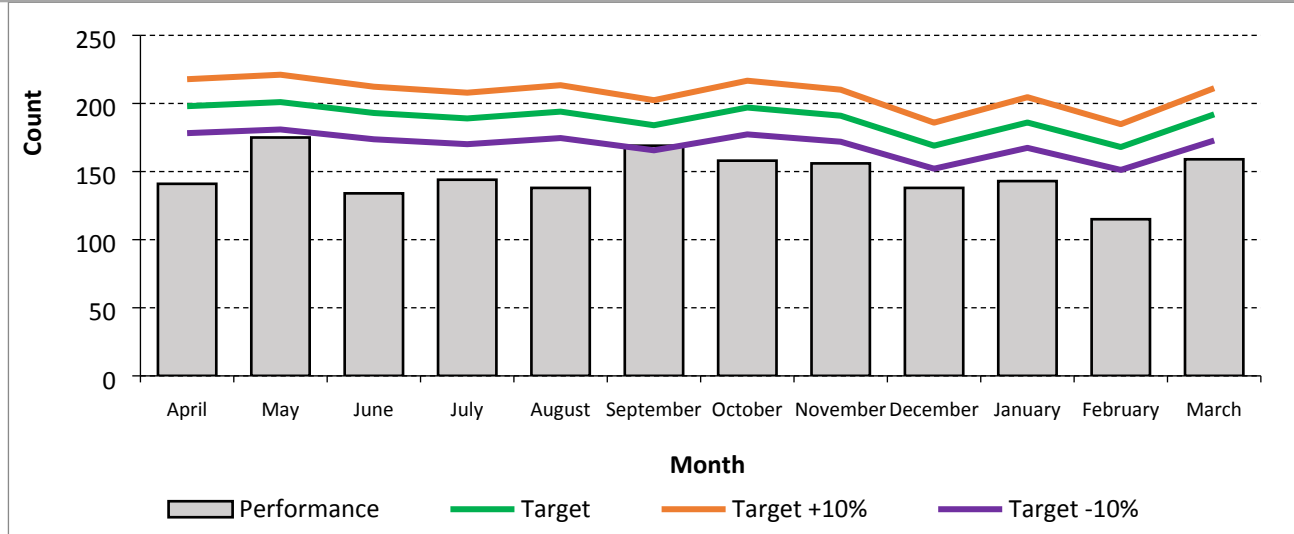
## TC03 Total number of primary fires attended

Service Plan Target  
Apr-Mar 2020/21

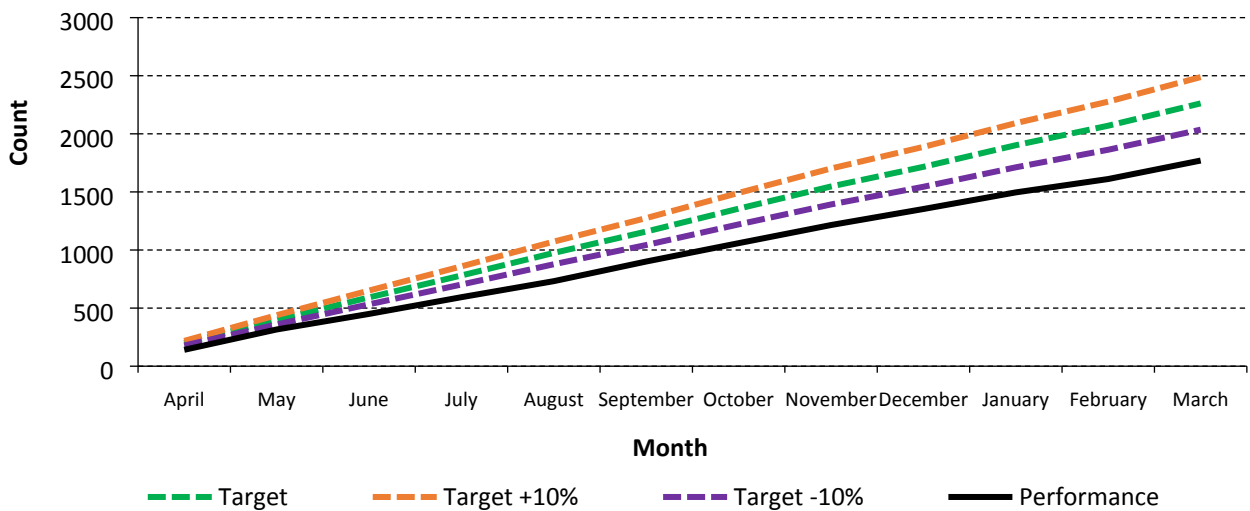
2262

Progress to Date

1770



## Cumulative Performance



## TC03 Total number of primary fires attended

TC03

There were 1770 Primary fires during 2020/21. This is 323 fewer than in 2019/20. This is possibly linked to the Covid 19 lockdowns during the year as homes were occupied, fewer businesses open and movement restrictions in place.

Primary fires involve an insurable loss and includes all property related fires, or large scale secondary fires where 5 or more appliances are in attendance.

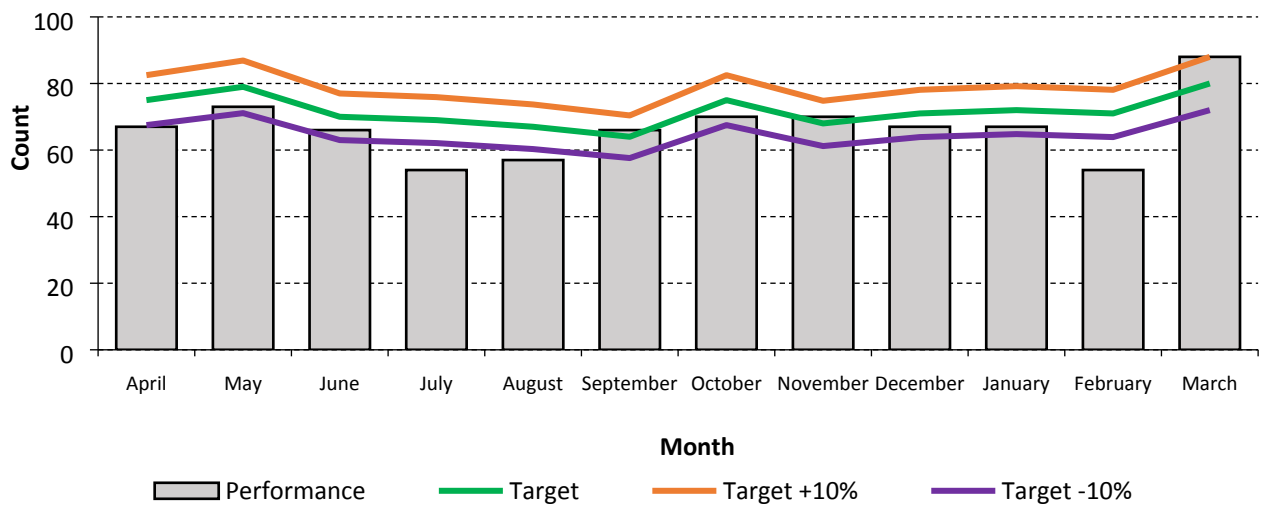
<b>DC11</b>	<b>Number of accidental dwelling fires</b>	
<b>DC12</b>	<b>Number of fatalities in accidental dwelling fires</b>	
<b>DC13</b>	<b>Number of injuries in accidental dwelling fires</b>	
<b>DC14</b>	<b>Number of deliberate dwelling fires in occupied properties</b>	
<b>DC15</b>	<b>Number of deliberate dwelling fires in unoccupied properties</b>	
<b>DC16</b>	<b>Number of deaths occurring in deliberate dwelling fires</b>	
<b>DC17</b>	<b>Number of injuries occurring in deliberate dwelling fires</b>	

**COMMENTARY:**

DC11	During 2020-21 799 accidental dwelling fires were attended. This is the lowest count of incidents since recording began and 68 less fires than in 2019-20. This is particularly of note due to almost all residents being at home in lock-down for a large parts of 202-21.
DC12	Sadly, there were 7 fatalities in accidental dwelling fires during 2020/21, an increase on the previous two years. These all occurred during periods of lockdown and five were related to smoking.
DC13	There were 59 injuries in Accidental Dwelling Fires, which is 28 less than 2019/20.
DC14	Deliberate dwelling fires in occupied property (139) increased with just 3 more incidents than last year (136). Prevention teams continue to work with partner agencies to target this incident type
DC15	Deliberate fires in unoccupied properties (16) were below the cumulative target (20).
DC16 DC17	There have been no fatalities in the deliberate dwelling fires and 14 injuries.

**DC11 Number of accidental fires in dwellings**

Service Plan Target Apr-Mar 2020/21	<b>861</b>	Progress to Date	<b>799</b>
--	------------	------------------	------------



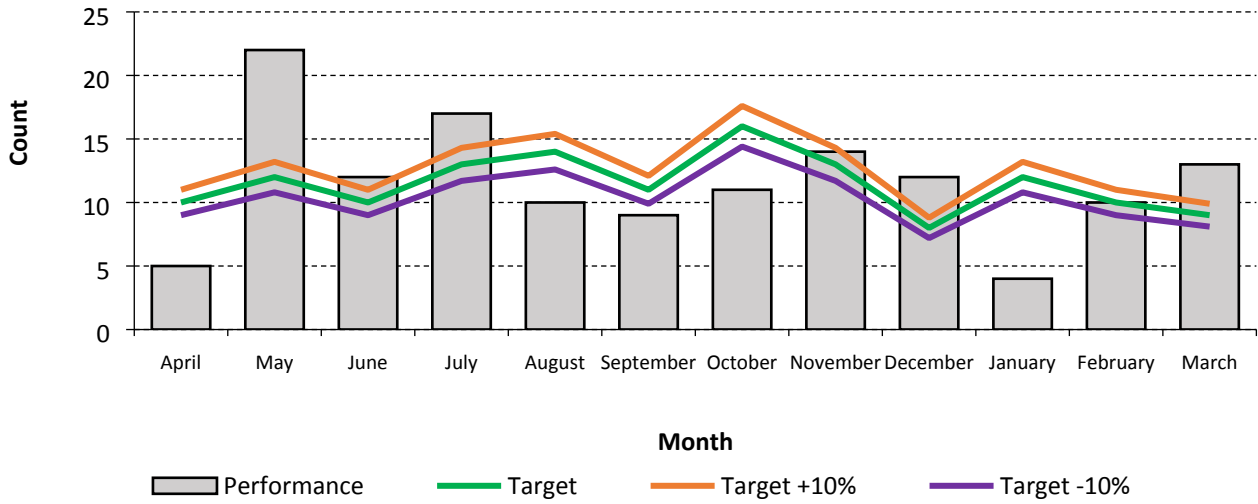
## DC14 Number of deliberate dwelling fires in occupied properties

Service Plan Target  
Apr-Mar 2020/21

138

Progress to Date

139



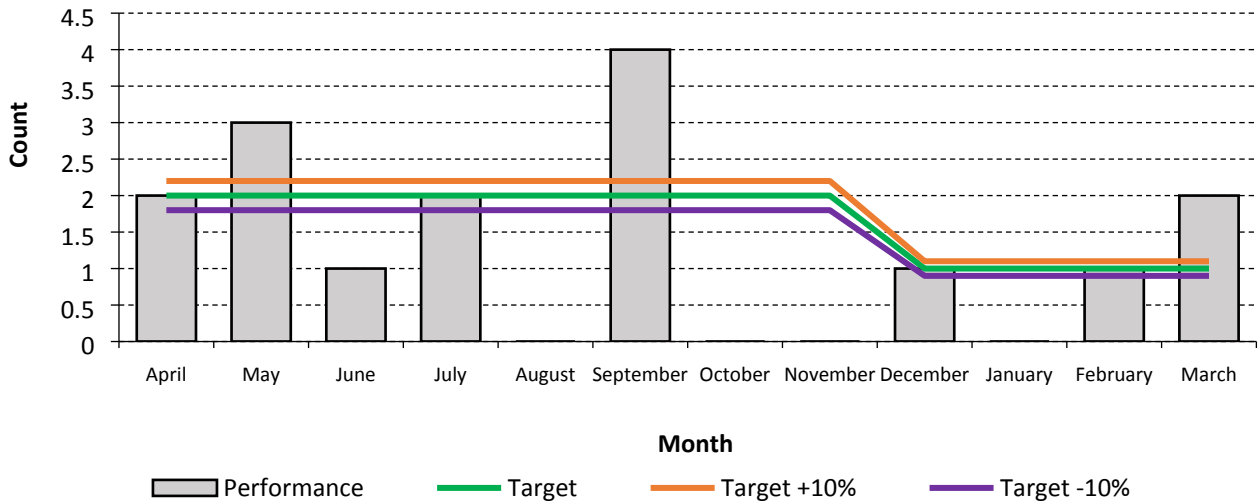
## DC15 Number of deliberate fires in unoccupied properties

Service Plan Target  
Apr-Mar 2020/21

20

Progress to Date

16



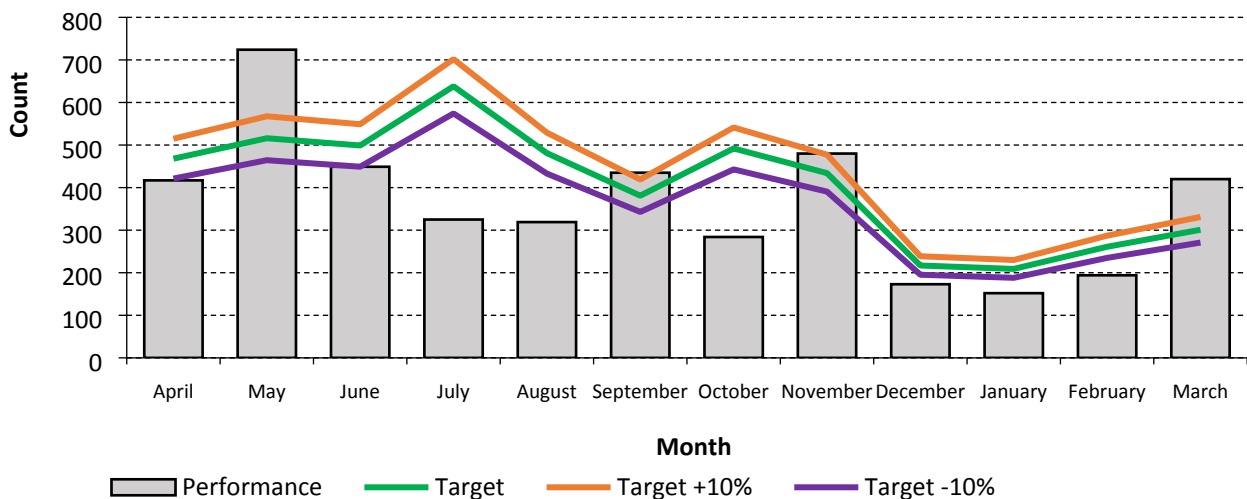
## TC04 Total number of secondary fires attended

Service Plan Target  
Apr-Mar 2020/21

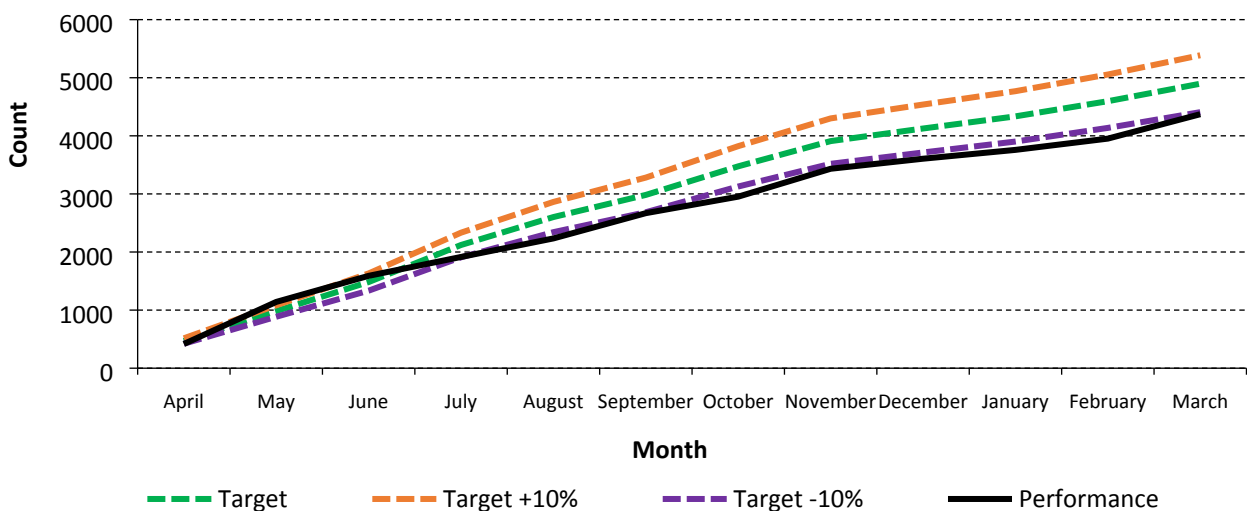
4897

Progress to Date

4372



## Cumulative Performance



**TC04 Total number of secondary fires attended**

**AC13 Number of deliberate ASB fires attended**

**TC04**

There were 4372 secondary fires attended in 2020-21. This is 827 more fires than in 2019/20 (3545). This is because of the very high numbers of rubbish/waste fires attended in May (726) and June (449) with a further spike September (436) due in part to warm weather. False alarm good intent calls (2010) increased this year, 1704 in 2019-20, many calls were related to controlled burns i.e. people burning rubbish in their gardens during the period that tips were closed and in some areas garden waste collections were suspended.

**AC13**

During 2020-21 crews attended 2993 deliberate anti-social behaviour fires compared to 2774 in 2019-20. March saw periods of dry weather when both deliberate and secondary fires also increased.

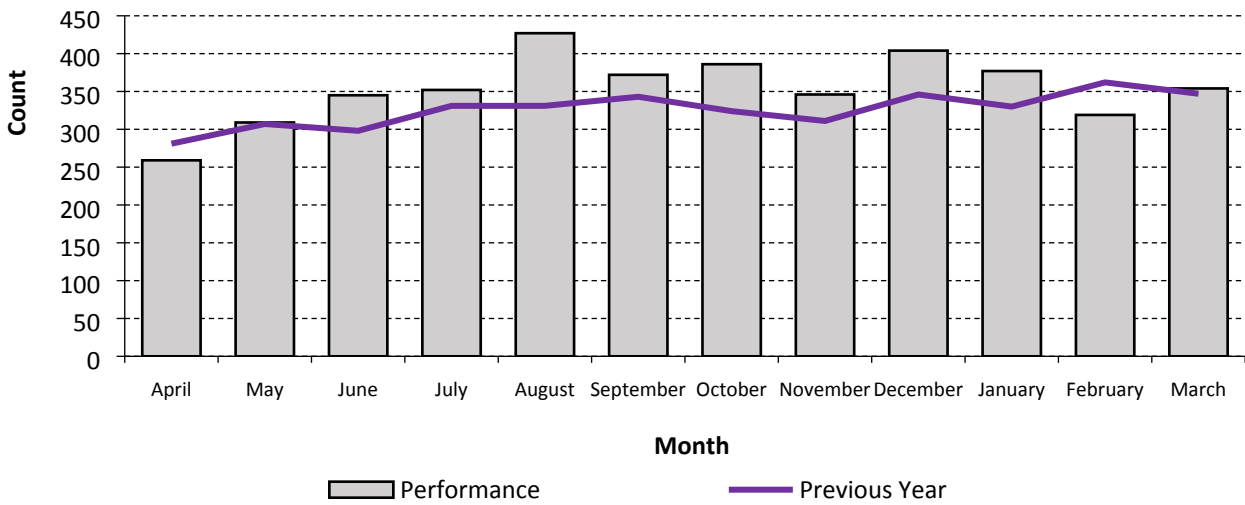
## TC05 Total number of special services attended

Service Plan Target

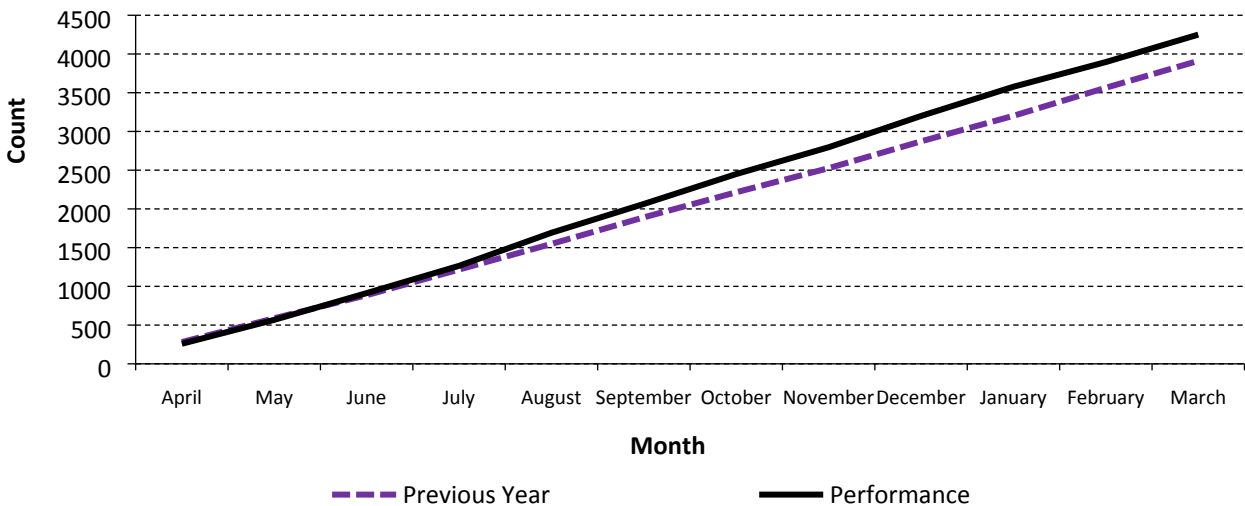
Quality Assurance

Progress to Date

4250



### Cumulative Performance



TC05 Total number of Special Services attended

For quality assurance only

TC05

The total number of special services attended in 2020-21 (4250) is higher than 2019/20 (3911). There is no target for special service calls as there are a number of calls we are not able to influence and many are related to assisting partner agencies such as the Police and Ambulance (COVID related) which we respond to at times of higher demand or public safety.. Incident types we can influence such as road traffic collisions and water rescue incidents have separate indicators.

RC11  
RC12  
RC13

The number of RTC's attended (555) is considerably lower than 2019/20 (718). This is because of the reduction in vehicles on the road due to the Covid 19 lockdown particularly during the first lock-down in April to July. Sadly, there have been 8 fatalities in RTC's attended by MFRS and 232 injuries compared to 343 2019/20. Of the 232 injuries 53 were recorded as serious.

In line with reduction in the number of incidents MFRS attended, Police 'Killed and seriously injured' data reported 357 incidents in 20-21 compared to 426 in 19/20. There were no fatalities in the 16-24 age group we target to educate on road safety

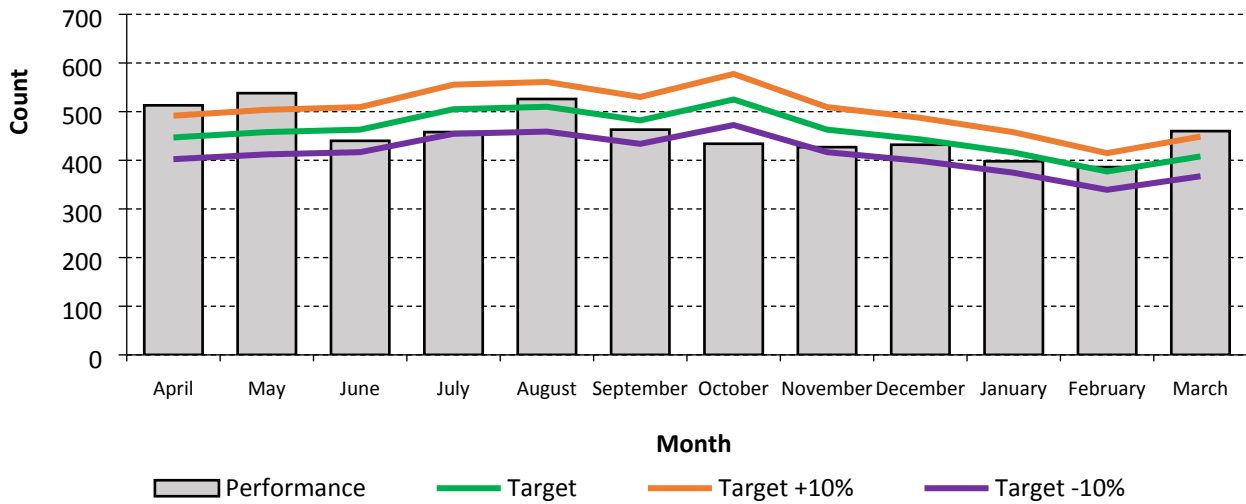
## TC06 Total number of false alarms attended

Service Plan Target  
Apr-Mar 2020/21

5497

Progress to Date

5475



## TC06 Total number of false alarms attended

TC06

The number of false alarms attended during 2020-21 (5475) is below the annual cumulative target (5497) and 169 less than the number of false alarms in 2019-20 (5644)

Automatic False Alarm incidents in both Domestic Dwellings (2880) and Non Domestic properties (460) have reduced when compared to last year (3137 & 570 respectively) and also against targets.

The reduction is thought to be related to more people being at home and some business premises being closed due to Covid restrictions



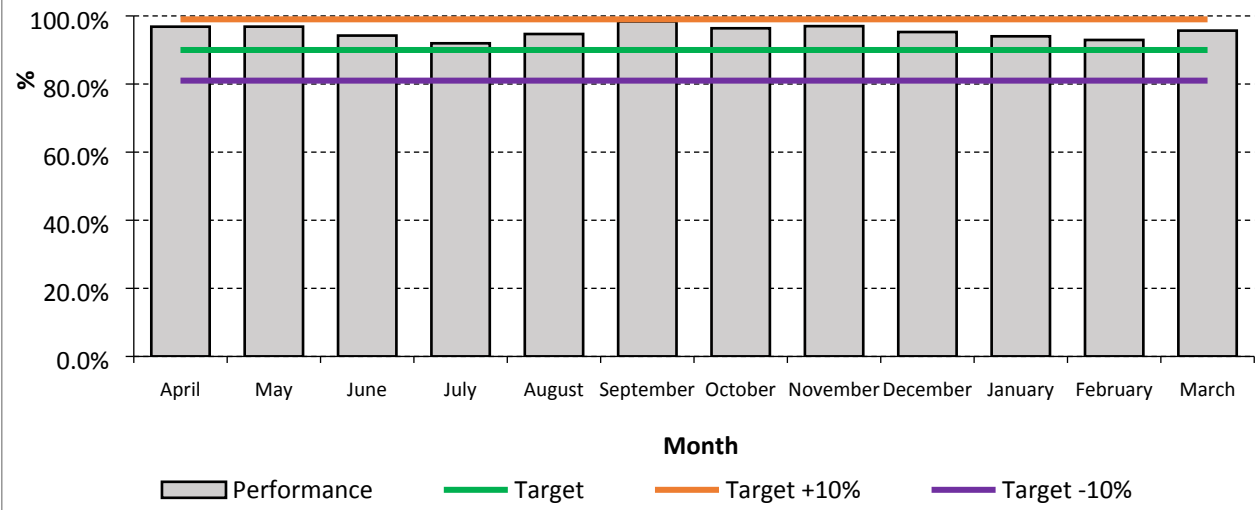
**TR08 Attendance standard – the first attendance of an appliance at all life risk incidents in 10 minutes**

Service Plan Target  
Apr-Jun 2020/21

90%

Progress to Date

95.4%



**TR08 Attendance Standard – first attendance of an appliance at all life risk incidents in 10 minutes**

**TR08**

Operational staff attained the attendance standard of the first attendance of an appliance at a life risk incident within 10 minutes on 95.4% of occasions, achieving the target of 90%.

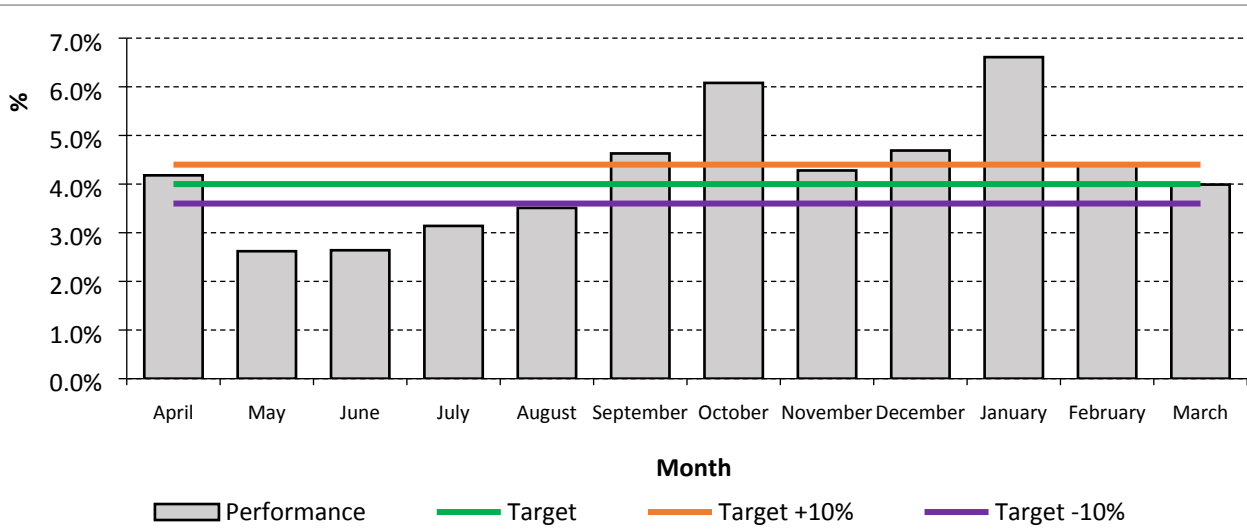
**TD09 The % of available shifts lost to sickness absence, all personnel**

Service Plan Target  
Apr-Mar 2020/21

4%

Progress to Date

4.27%



**TD09 The % of available shifts lost to sickness absence, all personnel**

**WD11 The % of available shifts lost to sickness absence per wholetime equivalent GREY book (operational) personnel**

**WD12 The % of available shifts lost to sickness absence per wholetime equivalent GREEN & RED book (non uniformed) personnel**

**TD09**

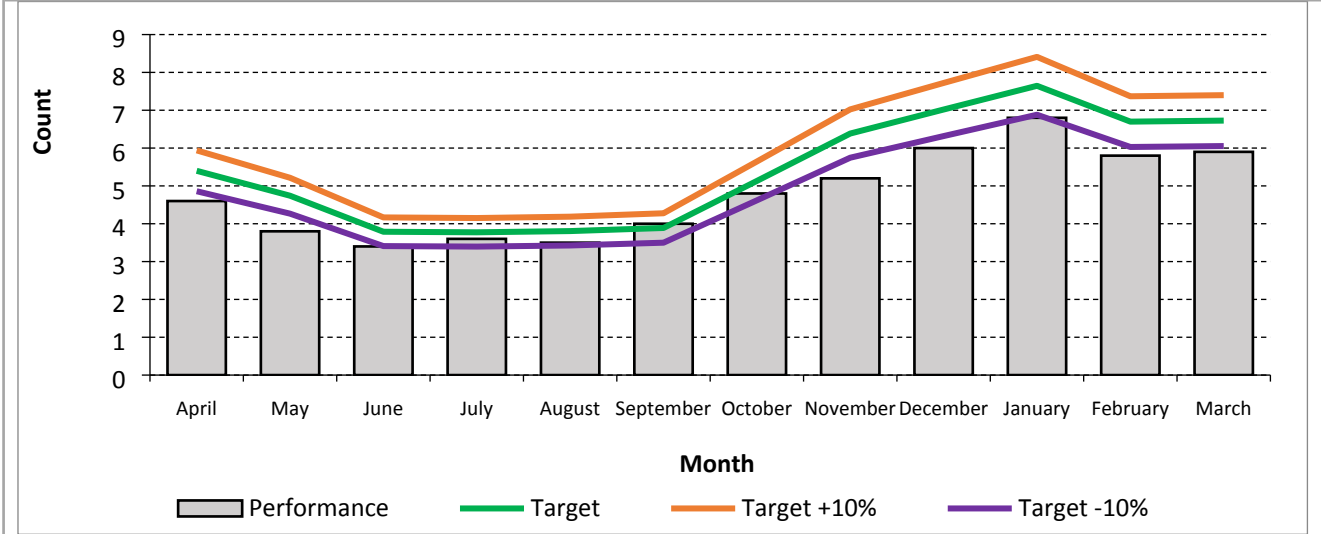
Overall sickness among all staff at 4.27% shifts lost to sickness absence is only slightly over the 4% target despite Covid related absence, which is included in this figure, this is slightly higher than at this time in 2019 (4.11%). If Covid 19 related absence is removed then sickness would have been **2.54%**.

**WD11  
WD12**

Cumulatively 4.05% of shifts were lost to sickness absence among uniformed staff (2.50% with Covid related absence removed, this included staff self-isolating). Non uniformed staff absence was 4.62% (2.58% without Covid 19 absence). Absence targets for all staff groups have not been achieved but this is not unexpected.

## TE10 Total carbon output of all buildings

Service Plan Target Apr-Mar 2019/20	<b>65</b>	Progress to Date	<b>57.4</b>
--	-----------	------------------	-------------



### TE10 Total carbon output of all buildings

<b>TE10</b>	Carbon output at March 2021 was 57.4 from all buildings is lower than 2019/20 when the output was 58.5. Achieving the 65 target for the year This measurement is CO2 per metre per building. Overall energy use in this first quarter is lower than at this time in 2019.
-------------	---

This page is intentionally left blank

Inspection theme	Area for improvement	Outcome/s required/evidence of success	Update November 2020	Update March 2021	RAG
<b>Formal Areas for improvement</b>					
<p><b>1 Protecting the Public through fire regulation</b></p>	<p><b>The Service should ensure it allocates enough resources to a prioritised and risk-based inspection programme</b></p>	<p>Numbers of competent protection officers increase (CRM records).</p> <p>Priority inspections are carried out in line with the strategy (Protection records, LPIs).</p>	<p>Our 2019/21 IRMP Supplement included a commitment to enhance our Protection capability.</p> <p>To date, internal development of staff has resulted in a total of 14 Fire Safety Inspectors and six Fire Safety Auditors within current budgetary limitations.</p> <p>We have also been able to secure an additional three Watch Managers as part of the investment proposed in the 2019 – 2021 IRMP Supplement.</p> <p>This has enabled us to resource our Risk Based Inspection Programme more fully.</p> <p>However, the loss of four fully qualified Fire Safety Inspectors, mainly to the Private Sector continues to be an adverse factor on resourcing the Department.</p> <p>Recruitment and selection of a Fire Engineer has been completed. The new post holder is a Level 5 qualified fire Inspector and recently enrolled on the Level 6 Fire Engineering Degree at UCLAN.</p> <p>Recruitment of a further six permanent fire safety inspectors is being delivered during the autumn period.</p> <p>Recruitment of a further two fixed term contract fire safety inspectors is being delivered during the same period.</p> <p>Three fire safety auditors have recently successfully moved into fire safety inspector positions.</p>	<p>Resources:</p> <ul style="list-style-type: none"> <li>• All Fire Safety Auditors have now progressed to Fire Safety Inspector Posts.</li> <li>• 6 new Fire Safety Auditors recruited</li> <li>• HMICFRS Return for 31 March 2021 recorded 32 Competent Staff dedicated to Protection with 5 in development.</li> <li>• Building Risk Review team now established to deliver inspections of High Rise Residential Buildings in line with government trajectory, team consists of 3 Fire Safety Inspectors, 1 Station Manager and Administration Officer, funded from Protection Grant.</li> <li>• CFRMIS go live date for 17 May 2021 to replace existing Sophtlogic Management Information System</li> <li>• Dedicated Additional temporary Group Manager post as project lead for CFRMIS</li> <li>• Dedicated additional temporary Group Manager for Grenfell Tower Inquiry Project</li> </ul> <p>Prioritised Risk Based Inspection Programme.</p> <ul style="list-style-type: none"> <li>• Premises Risk Model Review 4.3 Completed. Very High and High Risk premises identified with annual target of 1521 Inspections</li> <li>• Premises Risk Model strategic evaluation completed</li> </ul>	<p><b>GREEN</b></p>

2	<p><b>Responding to fires and other emergencies</b></p>	<p><b>The service should ensure staff know how to command fire service assets assertively, effectively and safely at incidents. This should include regular assessment of command competence</b></p>	<p>Assessments meet the targets set (Preparedness records, LPIs)</p> <p>Assessment processes are robust and comprehensive (Preparedness and Response records)</p>	<p>Arrangements have been put in place to ensure the maintenance of Command Competence (ensuring Officers remain “in ticket”) is managed via the Operational Performance System (OPS) maintained by the Command Department and Training &amp; Development Academy</p> <p>MFRS completed all Level 1 assessments with all relevant staff being in ticket following HMICFRS visit. There is a two-year frequency for assessment. This has been impacted due to COVID-19 but is being monitored and schedule adjusted</p> <p>Processes are evidenced, Policy and SI being finalised.</p>	<p>The revised Command Strategy was presented and endorsed at the Ops Board on 29 March 2021 with launch date set for the 1st April, 2021. All operational managers are within the two year assessment frequency set by NOG and competency is managed by the Command Department and TDA admin Team. Service Instruction has been published which outlines the revised command competency framework for all management levels.</p>	GREEN
3	<p><b>Promoting the right values and culture</b></p>	<p><b>The service should ensure its values and behaviours are understood and demonstrated by staff.</b></p>	<p>Feedback shows that staff understand the values and behaviours (staff survey 2020)</p> <p>Feedback shows that staff and managers believe that they and others are displaying the desired behaviours and demonstrating the values (staff survey 2020).</p>	<p>Work has taken place to review the Service’s Values which are due to be introduced in the new year.</p> <p>Values are embedded as part of our recruitment and appraisal processes.</p> <p>Work has taken place on establishing the MFRS Leadership Process and Message with outcomes also due early in the new year.</p> <p>Our Ground Rules were refreshed (following engagement with staff) and reissued in January 2020.</p> <p>ED&amp; I Training is being delivered to all staff (50% complete), but delivery is currently limited due to the pandemic. Online training is being considered as an interim arrangement, but face to face is preferred because it encourages more interaction. Inclusive leadership coaching has also commenced and work is ongoing to ensure it is embedded in any future organisational approach to coaching.</p> <p>Unconscious Bias training took place virtually during the pandemic and work is ongoing to determine whether we can introduce a collaborative approach to Unconscious Bias training with the Police.</p> <p>Reward and Recognition programmes are being considered that also include improved insight through “pulse” surveys.</p>	<p>A new mandatory Equality, Diversity and Inclusion LearnPro module has been developed for launch in May. It will complement the face to face training.</p> <p>An Audit of ED&amp;I provision in MFRS has been completed with the report delivered in April. SLT and Network Chairs will meet to discuss the outcomes in May.</p> <p>A review of the Equality Impact Assessment process is underway.</p> <p>The Networks continue to flourish and Network Chairs are embedded in the Strategy and Performance ED&amp;I Board</p> <p>Face to face training has been curtailed during the pandemic but due to start again in May.</p> <p>Several opportunities for online ED&amp;I learning and awareness have been created during the past year that have attracted a much wider variety of staff than would have been possible if these had been held in person.</p> <p>The staff survey was completed in November and December with significant improvements in staff engagement taking us from the lowest quartile in 2014 to the highest in 2020.</p>	GREEN

				<p>We have launched three staff networks (Gender, BAME and LGBT) with all of Strategic Leadership Team taking a Strategic Sponsor roll. Network chairs attend the ED&amp;I Strategic Board and are included in engagement relating to key change and decision making including the response to the pandemic.</p> <p>Our bi-annual staff survey was due to take place in June/July 2020, but was postponed due to the pandemic. It is now taking place in November/December.</p>	<p>Staff-led work to revise our Values and leadership message has been completed and further engagement and launch is being planned.</p>	
4	<p><b>Getting the right people with the right skills</b></p>	<p><b>The service needs to assure itself that all staff are appropriately trained for their role. It needs to ensure all staff keep their skills up to date and have a consistent method of recording when they have received training.</b></p>	<p>Training needs are assessed for all staff and training provided accordingly (POD and Preparedness records).</p> <p>Similar/equivalent methods of recording skills acquisition and training are used for all staff.</p>	<p>An Operational Training Needs Assessment has been completed and is reviewed annually for uniformed personnel. This is also presented annually at the Operations Board.</p> <p>A similar Organisational (non-uniformed) Training Needs Assessment has been completed and both are in the process of being implemented.</p> <p>Training will be allocated based on a role and also as a result of appraisals where appropriate.</p> <p>Resource link records all training including that initially recorded in the Operational Performance System (OPS), ensuring a complete set of records for all employees.</p> <p>OPS records internal training including core and non-core training, and is now used to record internal training for both uniformed and non-uniformed personnel. An upgrade of the OPS system is required over the next year.</p> <p>A team was put together in November 2019 to review of the LearnPro online training system, this has taken place and improvements to e-learning packages have been made in consultation with staff. The next stage is to ensure all staff use LearnPro for corporate training. This phase is ongoing with the aim of standardising the Learn pro across the organisation.</p>	<p>Considerable work has been undertaken to update the training systems used and the reporting processes.</p> <p>The functionality of OPS (Operational Performance System) is being reviewed but over the last 12 months the process of managing operational competency across all roles has been reviewed and more efficient and robust system put in place. Management of the process has moved to the TDA to reduce communication links and ensure training days are maximised and targeted to the individuals who require it.</p> <p>Learn pro is being developed and there is a standard ELearning template with monthly programme of modules and an induction section. This standard will be available for non-ops, MRU and Fire Control.</p> <p>Senior officers now have own training planner which is bespoke to the role. Further development areas will take place over the coming year to provide consistency to the look and use of the software.</p>	GREEN
5	<p><b>Ensuring fairness and promoting diversity</b></p>	<p><b>To identify and tackle barriers to equality of opportunity, and make its workforce more representative, the service should ensure diversity and</b></p>	<p>Staff from protected and underrepresented groups feel more positive about</p>	<p>The responses to 3 above are also relevant to this action.</p> <p>In addition, the Service continues to use Positive Action to encourage people from underrepresented groups to apply</p>	<p>The responses to 3 above are also relevant to this action.</p> <p>Positive action comments in the November update still apply.</p>	GREEN

	<p><b>inclusion are well understood and become important values of the service.</b></p>	<p>working for MFRS (Staff survey 2020).</p> <p>Staff from underrepresented groups are more likely to seek promotion (POD records, PSED report)</p> <p>Positive action recruitment continues to result in a more diverse workforce (POD records, PSED report)</p> <p>Staff have received ED&amp;I training which they have understood and feel able to apply in their work (Training records, Staff survey 2020).</p>	<p>for firefighter and Control positions. A team continues to work on this, including Staff Network representatives.</p> <p>As an example, to encourage more BAME people to apply for firefighter roles we have the following:</p> <ul style="list-style-type: none"> <li>• Have-a-Go days (specifically for FF roles (which are now part of an apprenticeship)). Candidates are given the opportunity to 'have a go' at the selection assessments and learn more about the FF selection process so that they can prepare prior to an advert going live.</li> <li>• Use social media to demonstrate information on selection processes and to capture the stories of BAME role models within the Service.</li> <li>• Promote our apprenticeships and vacancies to our community groups who represent BAME interests within Merseyside.</li> <li>• Distribute promotional materials which showcase the diverse range of careers at MFRS to our community groups.</li> <li>• Attend school / colleges / university careers events to promote our apprenticeship and vacancy opportunities.</li> <li>• Work with our BAME staff network to promote our vacancies / apprenticeship opportunities.</li> </ul> <p>This approach is being extended to progression.</p>	<p>Since the beginning of 2018 we have recruited 157 firefighters of whom:</p> <p>17.83% are women</p> <p>7.64% are BAME (local BAME population is 5.5%)</p>	
<p>6 <b>Managing performance and developing leaders</b></p>	<p><b>The service should put in place an open and fair process to identify, develop and support high-potential staff and aspiring leaders.</b></p>	<p>Process is produced (SI, strategy or Policy published)</p>	<p>As mentioned in 3 above work has taken place on establishing the MFRS Leadership Process and Message with outcomes due soon.</p> <p>Our Gateway (progression) process has been reviewed and was relaunched in April and now encompasses all staff groups. It explains to staff the support they can receive to assist them in future progression.</p>	<p>Staff-led work to revise our Values and leadership message has been completed and further engagement and launch is being planned in 2021/22.</p> <p>An accelerated Leadership Programme is being developed and has been presented to People Board.</p>	<p>AMBER</p>



Inspection theme	Area for improvement	Outcome/s required/ evidence of success	Update November 2020	Update March 2021	RAG
<b>Other areas identified in the report</b>					
7 <b>Responding to fires and other emergencies</b>	The service's operational policy reflects national guidance. But staff have an inconsistent understanding of what recording process they would follow if required to step outside policy. They were also not always sure how to log significant decisions	Staff understanding is improved and demonstrated	Incident logging has been established and Operational Discretion is now included in the relevant policy documents. Instructions have been issued on how to do this and work will take place to reinforce this including sampling to ensure staff understand.	As previous update. Decision Logging ELearning package also in place.  Completed	GREEN
8 <b>Responding to fires and other emergencies</b>	Although we found the debrief process led by the operational assurance team to be robust, we found that operational crews took an inconsistent approach to debriefing smaller incidents.	Operational crews demonstrate a more consistent approach to debriefing smaller incidents (Response records).	The following work has been undertaken: <ul style="list-style-type: none"> <li>Hot debriefs taking place at stations.</li> <li>Smaller incident debriefs are easier to undertake at the incident ground. Work is ongoing to develop the process around larger incidents.</li> <li>Automating these processes is a priority.</li> </ul>	A new 'Hot Debrief' process has been introduced to address the capture of learning from smaller incidents. This uses the Microsoft Forms platform and is easily accessible from the Portal. This has seen great success and is becoming widely used by crews. The introduction of the process led to an overhaul of the whole debrief process and this led to the revised SI 0069 'incident debriefs'.	GREEN
9 <b>Responding to national risks</b>	We saw that the information the service holds on the risks in surrounding services isn't as accessible as its own risk information. But we noted that while we were inspecting, the service was upgrading the computers it has on fire engines, where this information will be made available.	Cross border risk information is more accessible to crews (Preparedness records).	Cross border risk information has now been delivered and was initially only available through Resilience Direct. To improve accessibility all available risk information is now available to operational staff via appliance Mobile Data Terminals and intranet Portal pages.  Longer term solutions are still being considered.	Longer term solutions are still being considered as part CFSMIS Solution.	GREEN
10 <b>Making the fire and rescue service affordable now and in the future</b>	We found that the service has various inefficient paper-based systems. However, it has invested in a team to develop a range of online applications with the intention of modernising these systems.	More paper based processes are replaced by applications (S&P records).	Applications development has continued through this period and processes also continued to be streamlined through the use of InfoPath forms and processes on the SharePoint Portal.  The new SSRI application, SIRAH, is being rolled out, but the Service is now aware that a commercial off the shelf package is available, that was not available when internal application development commenced. The suitability of this for Prevention, Protection and SSRI purposes is under review as this may provide a suitable alternative.	Processes continue to be streamlined and automated using Microsoft Forms and InfoPath forms. 36 processes have been improved in this way since the last inspection.  Finance have also automated previously paper-based processes such as virements.  The CFRMIS system will provide a management information system for Protection, Prevention and Site Specific Risk Information. This has replaced in-house development. The Protection element went live in May. This has replaced the SIRAH application previously referred to.	AMBER

					In-house development continues however for the application developed to manage National Resilience assets.	
<b>1</b>	<b>How well does the service look after its people?</b>	Staff don't always view the promotion process as open and fair.  We didn't find this to be the case, but the service still has work to do to allay these workforce concerns.	Staff are more accepting that the promotion process is open and fair (Staff survey 2020).	The launch of the new Gateway process is hoped to reassure staff that the promotion process is open and fair and no complaints have been received.  The response to the staff survey (taking place Nov/December 2020) will provide more supporting evidence.	An accelerated Leadership Programme is being developed and has been presented to People Board	GREEN
<b>1</b>	<b>Ensuring fairness and promoting diversity</b>	The service has made a commitment to the public to improve a range of equality and diversity issues in its IRMP...but we observed a difference between how management think these commitments have been accepted across its workforce and the frontline reality.	Staff understand the equality, diversity and inclusion objectives (Staff survey 2020)  Staff have received ED&I training which they have understood and feel able to apply in their work (Training records, Staff survey 2020).	Prior to the pandemic, ED&I Essentials training had been rolled out to half the staff and was very well received. Some face to face training resumed between the two lockdowns and online training has commenced. The aim is to reinstate face to face training as this is believed most effective.  Unconscious Bias training took place virtually during lockdown for approximately 70 staff who are in management positions or involved in recruitment, performance management etc. Work is ongoing to determine how future unconscious bias training will take place.  Staff networks have continued during the pandemic and the network chairs have been directly engaged with about the pandemic and are also involved in the quarterly ED&I strategic boards enabling them to engage directly with strategic leaders and contribute to ED&I outcomes.	The 2020 staff survey showed a marked improvement in the level of staff engagement in MFRS with 88% of the workforce engaged. This is an excellent result and demonstrates the positive impact of organisational changes made since 2018. This result includes 96% of staff saying they care about the future of MFRS, 81% saying they would recommend MFRS as a good place to work (up from 47% in 2018) and 90% saying they are proud to work for MFRS.  The need to curtail face training during the pandemic has impacted on the roll-out, but the creation and launch of a new LearnPro module, the embedding and increased involvement of Staff Networks and opportunities for online ED&I training that have been presented to all staff (e.g. Ramadan awareness) have been well received and had a positive impact.	GREEN
<b>1</b>	<b>Ensuring fairness and promoting diversity</b>	The service doesn't fully reflect the communities it serves	Future recruitment shows continued improvements in diversity (POD records, PSED report)	See 5 above.	See 5 above.	GREEN

1 4	<b>Ensuring fairness and promoting diversity</b>	Staff from all groups felt that middle and senior managers could make more of an effort to respond to their concerns and challenge inappropriate and exclusionary language	Staff feel these managers make an effort to respond to their concerns (Staff Survey 2020)	<p>Work has been undertaken in 2020 to review the organisation’s leadership message and values with the outcomes due in early 2021. Numerous staff from throughout MFRS were interviewed to allow them share their experiences of leadership and what they would like leadership in MFRS to look like in the future.</p> <p>This work has incorporated a review of the organisational values which will be relaunched at the same time.</p> <p>Increasing work with the Staff Networks will support improvement in this area.</p> <p>Area Manager visits reinforce our values and behaviours.</p> <p>This extensive piece of work is expected to address these concerns from staff.</p>	<p>The staff survey results included specific references to improvements in this area, particularly around the visibility of senior staff and improved communications.</p> <p>The CFO sent out a very clear message after the 2018 inspection that undermining behaviours would not be tolerated, soon after that, the Ground Rules were refreshed in consultation with staff and other activities outlined in the updates to previous sections (particularly 3 and 5) demonstrate that a considerable amount of work has taken place since.</p>	GREEN
1 5	<b>Ensuring fairness and promoting diversity</b>	[in the HMICFRS staff survey – 92 respondents] 26 reported feeling bullied or harassed at work and 26 reported feeling discriminated against at work, in the last 12 months. In both cases, respondents indicated this was most likely to be by someone more senior than themselves and industrial action was often cited as the reason behind bullying/harassment.	Fewer people report feeling bullied or harassed at work (2020 survey compared to 2018 staff survey not HMICFRS survey)	<p>2017 -18 - There was a total of 33 disciplinary cases. Three cases were recorded as bullying and harassment.</p> <p>2018-19 - There was a total of 20 disciplinary cases. One case was recorded as bullying and harassment.</p> <p>2019-20 - There was a total of 18 disciplinary cases. None were recorded as bullying and harassment</p> <p>The 4 disciplinary cases which have been recorded as bullying and harassment during the last 3 years were all relating to male members of staff.</p>	<p>The 2020 staff survey shows that over 80% of staff believe bullying and harassment is not tolerated in MFRS and have also not experienced it themselves (improved from under 50% in 2014)</p> <p>Discipline cases relating to B&amp;H have reduced to zero in 2019-20 from three in 2017-18</p> <p>This is testament to our concerted efforts to improve our organisational culture, educate and listen to our staff</p>	GREEN
1 6	<b>Managing performance and developing leaders</b>	The way the service assesses candidates [for promotion] is open and honest. However, we were disappointed that assessors haven’t undertaken unconscious bias training. The Service recognises this gap and plans to introduce relevant training	General Unconscious bias training has been delivered to staff as part of ED&I training and specific applied training has been delivered to staff carrying out selection processes.	<p>Unconscious Bias training was delivered during lockdown to managers and others responsible for recruitment, performance management etc.</p> <p>Work is ongoing to deliver more training in this area including the potential for collaboration with the Police.</p>	No change since the November update. This work is ongoing.	GREEN

This page is intentionally left blank

**IRMP 2017-20 and 2019-21 Supplement - May 2021 Update**

Action	Further details (as included in the IRMP/Supplement)	Responsible Department	Update n.b 2020 COVID-19 may impact on some of these responses temporarily	Status (Red, Amber, Green)
<b>Operational Response</b>				
<b>Original proposals IRMP 2017-20</b>				
1. During the day (0830-2030) we will continue to have 24 appliances immediately available to be deployed to incidents and 2 appliances that can be mobilised within 30 minutes.	Replaced – see below			
2. Overnight (2030-0830) this number will reduce to 18 immediately available fire engines with a	Replaced – see below			

further 8 available on a maximum 30 minute delay.				
3. These additional fire engines will be available through the use of a secondary wholetime retained contracts for firefighters. (Retirement of 80-100 firefighters during 2017-20). <i>The secondary contract aspect of this action has been completed.</i>	Replaced – see below			
4. Undertake recruitment between 2017-20 to ensure numbers and competence is maintained (making sure we		People and Organisational Development	This is ongoing and still on target The planned courses are proceeding in 2021/22 with a three-year recruitment schedule in place in conjunction with a revised Positive Action strategy to support this.	GREEN

have enough firefighters for the future). <i>To be extended to 2021</i>				
5. We will change some shift patterns from wholetime to days only wholetime crewing (retained cover provided at night).		Response	Delivered	GREEN
<b><u>Alternative 2019-21 IRMP Supplement Proposal – Replacing 1, 2, 3 above</u></b>				
<i>We propose to improve our emergency response and resilience by having up to 30 fire appliances available during the day and night (a combination of Wholetime and</i>		Response/Preparedness	This is now delivered following the opening of the new St Helens station on 16 <sup>th</sup> October 2020.	GREEN

<p><i>Retained). This is an increase on the 26 proposed in our original 2017-20 IRMP.</i></p>				
<p><i>We propose to achieve this increase in the number of fire engines from 26 (18 immediately available 24/7; 6 day crewed fire engines (immediately available during the day and on 30 minute recall at night); and 2 fully wholtime retained fire engines which are available on a 30 minute recall 24/7)</i></p>	<p><i>To 30 by providing 20 appliances immediately available; 6 day crewed fire engines (immediately available during the day and on 30 minute recall at night); 3 fully wholtime retained fire engines which are available on a 30 minute recall 24/7 and 1 Search and Rescue fire appliance.</i></p> <p><i>In practical terms this will mean that during the day we will have 27 (inc Search and Rescue</i></p>	<p>Response/Estates</p>	<p>This is now delivered following the opening of the new St Helens station on 16<sup>th</sup> October.</p>	<p>GREEN</p>



	<i>appliance) immediately available fire appliances with a further 3 available within 30 mins (for resilience purposes). and 21 immediately available fire appliances (inc Search and Rescue appliance) during the night with a further 9 available within 30 minutes (for resilience purposes).</i>			
<i>To achieve this we intend to increase the number of firefighters employed by Merseyside Fire and Rescue Authority from 620 to 642.</i>	<i>To achieve this we intend to recruit up to 60 new firefighters each year during the life of this plan to maintain the 642 figure.</i>	Response/People and Organisational Development	We are delivering three recruit courses a year.  We have achieved 642 posts and are currently above this number (including recruits at the Training and Development Academy) Service-wide.	GREEN
<i>This proposal also includes a</i>		Response	This is now delivered following the opening of the new St Helens station on 16 <sup>th</sup> October.	GREEN

<p><i>commitment to maintain fire engines with five firefighters at Key locations (including those where five firefighters are required to operate our National Resilience assets) with other locations operating with four firefighters per fire engine.</i></p>				
<p><i>We will also review the location of our specialist appliances to determine what is the most suitable location based on the risk and demand in the area, the appropriateness</i></p>		<p>Preparedness</p>	<p>This action is continuing. A number of moves have been made but some remain to be completed.</p> <p>A Transport Strategy review has commenced to review ancillary vehicles, appliances, specialist appliances, senior officer vehicles and sponsorship of vehicles.</p> <p>The location of specialist appliances has been reviewed and implementation of this review is now included in the Draft IRMP 2021-24</p>	<p>GREEN</p>

<i>of the duty system and the capacity of a fire station to house the additional asset.</i>				
<i>We propose to increase the number of available fire engines by the introduction of a 'Hybrid' duty system at three locations; Liverpool City, Wallasey and St. Helens, this system combines elements of Days, Nights and Retained duties whilst also maintaining immediate cover with at least one 24/7 fire engine.</i>	<i>Adopting such a model would allow us to provide day, night and retained cover and provide three fire engines at each of the locations above (an increase on what was planned in the 2017-20 IRMP)</i>  <i>The Hybrid would deliver immediate and continuous night-time cover at both Liverpool City and Wallasey fire stations</i>	Response/Estates	This is now delivered following the opening of the new St Helens station on 16 <sup>th</sup> October.	GREEN
<i>Two fire engines immediately available during</i>	<i>In practice, staff will work across all three appliances on a</i>	Response/Estates	As above.	GREEN

<p>the day between 0830hrs - 2030hrs and a third fire engine providing retained cover on a 30min recall to help deal with particular busy periods, large scale or protracted incidents. One fire engine immediately available during the night between 2030hrs – 0830hrs and two fire engines providing retained cover on a 30min recall to help deal with particular busy periods, large scale or protracted incidents</p>	<p>Hybrid duty system undertaking day shifts, night shifts and an equal amount of retained shifts. This equates to approximately 10 day shifts, 5 night shifts and 15 retained shifts per month and where a retained shift either follows a day shift or precedes a night shift, for example:</p> <ul style="list-style-type: none"> <li>• 12 hour day shift (0830-2030hrs) followed by a 12 hour retained shift (2030-0830hrs)</li> <li>• 12 hour retained shift during the day (0830-2030hrs) followed by a</li> </ul>			
---	--	--	--	--

	<p>night shift (2030- 0830hrs)</p> <p>These stations would enhance our response capabilities to terrorist threat, marine and environmental (flood) risk.</p> <p>The replacement of the original proposals 1-3 with the implementation of three Hybrid stations will increase MFRS appliance numbers from the current 26 to 30.</p> <p>This proposal is based on the analysis of risk, demand, vulnerability and performance (further details are available in the IRMP</p>			
--	--	--	--	--

	<p>Supplement 2019-21).</p> <p>To achieve this the Authority will be required to utilise some of its financial reserves to pay off debt. This commitment will free up revenue budget that can be invested the front line and other priority areas.</p>			
<b>Original proposals IRMP 2017-20</b>				
<p>6.Completion of station mergers (closing 2 stations and building one new station in a central location) at 3 locations – St Helens, Prescott and Saughall  <i>Massie – Prescott is now complete and open,</i></p>		<p>Estates</p>	<p>Now completed.</p>	<p>GREEN</p>

<p><i>Saughall Massie is being built (it is due to open in 2019). In October 2018 the Fire Authority agreed to seek planning permission for a new station in St Helens (on land off Milverney Way/Watson Street).</i></p>				
<p><b><u>New - 2019-21 IRMP Supplement Proposal</u></b></p>				
<p><i>We will continue to explore opportunities to improve the efficiency and effectiveness of the Service, including whether the current locations of our fire stations and other buildings allow us to provide the best</i></p>		<p>Response/Estates/Preparedness</p>	<p>We continue to review options for future mergers. These are at the initial stage of investigation.</p> <p>A review of possible station mergers has been completed and the merger of Aintree and Croxteth Fire Stations is included in the Draft IRMP 2021-24</p>	<p>GREEN</p>

<p><i>services and whether there is any scope for further station mergers.</i></p>				
<p><b>Original proposals IRMP 2017-20</b></p>				
<p>7. We propose that when the Emergency Medical Response (EMR) trial is complete, MFRA will introduce EMR to all fire crews across Merseyside during the lifespan of the IRMP 2017-20 – <i>this will remain in the IRMP and be reviewed when the outcomes of national negotiations are known</i></p>		<p>Response/Preparedness</p>	<p>Working with NWAS in this way has remained an aspiration and the following proposal is included in our Draft IRMP 2021/24:</p> <p>“We will continue to work with North West Ambulance Service to develop an Integrated Demand Management Programme for times of high demand such as during the Covid 19 pandemic. This expands our previous IRMP action to enter into Emergency Medical Response alongside the Ambulance Service.”</p>	<p>AMBER</p>



<b>Operational Preparedness</b>				
<b>Original proposals IRMP 2017-20</b>				
8.We intend to add to the resilience of the Marauding Terrorist Firearms Attack (MTFA) capability by training and equipping proposed wholetime day duty shift stations to perform this function in addition to the Search and Rescue Team.		Preparedness	<p>In September the Service began training (through Microsoft Teams) for all operational staff to improve knowledge and capability across all stations.</p> <p>Procurement and delivery of kit completed.</p> <p>Working with partners to understand relevant principles including exercises.</p>	GREEN
9.We intend to supplement the resilience of the Urban Search and Rescue (USAR) team capability by		Preparedness	<p>During this IRMP the Authority changed the length and content of the recruit course to allow three recruit courses per year.</p> <p>Recruits do not complete USAR training as part of the recruit course but are given an awareness of USAR and</p>	AMBER

<p>training all new recruits into MFRA to USAR technician level and create opportunities for staff to work in the USAR team.</p>			<p>do have the opportunity to move to the USAR team after their training course. There are increasing numbers of FF recruits wishing to join the SRT therefore the numbers of NR USAR trained staff is increasing</p> <p><b>This action is now closed as MFRA chose to take a different course with regard to USAR training</b></p>	
<p>10. We will also train all new recruits to Swift Water Rescue Technician in order to increase the number of Type B and C water rescue teams the Service can deploy.</p>		<p>Preparedness</p>	<p>During this IRMP the Authority changed the length and content of the recruit course to allow three recruit courses per year.</p> <p>Recruits do not receive swift water rescue training as part of the course due to time constraints and the loss of skills if they are not at a water rescue station. If put on a water specialist station training is given.</p>	<p>GREEN</p>
<p>11. We are committed to maintaining robust assurance arrangements for</p>		<p>National Resilience</p>	<p>The assurance cycle is a current process within National Resilience working arrangements. The impacts of COVID-19 have affected the cycle for 2020/21 due to an inability to undertake assurance visits during the social distancing measures.</p>	<p>GREEN</p>

the National Resilience capabilities located across the English FRS on behalf of the Home Office.			<p>National Resilience Assurance Team have completed an analysis of the impact that COVID-19 restrictions have had on the assurance cycle and will identify the necessary remedial measures as part of a recovery plan.</p> <p>A full assurance cycle has been delivered but was altered to reflect the Covid 19 pandemic</p>	
12.We will work with the Home Office to fully embed the principle of devolution of responsibility for National Resilience capabilities to the sector through the Lead Authority arrangement.		National Resilience	National Resilience Lead Authority is fully embedded within MFRA with current agreements with Home Office now extended to 2024.	GREEN
13.As part of the collaboration programme with Merseyside Police,		Preparedness	<p>Completed.</p> <p>This proposal is linked to the Joint Emergency Services Interoperability</p>	GREEN

<p>we are planning to include the Police MATRIX team in similar joint training plans to enhance response capability at major incidents.</p>			<p>Programme which was set up to improve the way the emergency services work together. Our Detection, Investigation and Monitoring team (part of our approach to National Resilience) currently trains with Matrix team and the location of the North West Ambulance Hazardous Area Response Team at Croxteth fire station means that fire and rescue and ambulance service teams work closely together.</p>	
<p>14. We may change how training is delivered in the longer term. We propose working with partner organisations to explore opportunities for efficiencies, driving further collaboration and improving effectiveness</p>		<p>Preparedness</p>	<p>This is now completed and treated as business as usual through the Collaboration Board (Fire/Police/Ambulance).</p>	<p>GREEN</p>

<p><i>We will explore the feasibility of introducing a drone capability which would be provided on a retained basis by crews operating from a hybrid station.</i></p>		<p>Preparedness</p>	<p>A report to Operations Board 29.6.2020 detailed outline requirements to implement the capability.</p> <p>Feasibility study is complete and prepared. This action has been carried forward into the Draft IRMP 2021-24 under the Protection team.</p>	<p>GREEN</p>
<p><i>We will explore the use of technology to support the mobilisation of resources to all operational incidents types, using mobile phone capabilities (data/technology) to better inform the mobilisation and dispatch of fire engines and specialist vehicles – e.g. 999Eye (as</i></p>		<p>Preparedness/Strategy and Performance</p>	<p>Preliminary work has been undertaken in relation to the 999Eye application. Detailed consideration is to be given to this once the Computer Aided Dispatch (Control room) system upgrade is complete.</p> <p>Response Halo is also being explored; this is a tool to enable more dynamic mobilising of appliances.</p> <p>This action is linked to the launch of the Vision 5 mobilising system. This will carry forward to IRMP 2021-24</p>	<p>AMBER</p>

<i>used by West Midlands FRS).</i>				
<i>In light of findings from the 2018 fire and rescue service inspection process we intend to consider how best to enhance the information we hold about risks in neighbouring fire and rescue services to assist us when we respond to over the border incidents.</i>		Preparedness/Response	<p>Cross border risk information has now been delivered and was initially only available through Resilience Direct. To improve accessibility all available risk information is now available to operational staff via appliance Mobile Data Terminals and intranet Portal pages.</p> <p>This action has been delivered</p>	GREEN
<i>In light of findings from the 2018 fire and rescue service inspection process we intend to consider how best to enhance cross border training with neighbouring fire and rescue</i>		Preparedness	<p>Business as usual as part of Joint Emergency Services Interoperability Programme.</p> <p>Cross border training is considered and arranged through North West Training Managers' meetings.</p> <p>This action has been delivered</p>	GREEN

<i>services to assist us when we respond to over the border incidents.</i>				
<b>Community Risk Management</b>				
<b>Original proposals IRMP 2017-20</b>				
15. We are in discussion with local Clinical Commissioning Groups and Public Health professional in relation to the introduction of Safe and Well visits across Merseyside.		Prevention	MFRS Prevention Advocates are currently delivering Safe and Well visits across Merseyside. We had a planned meeting with Matt Ashton (Director of Public Health) regarding the COVID 19 situation and how to utilise Safe and Well for Health Intelligence and Insight over the coming months but Covid 19 has delayed delivery of this action.	AMBER
16. Alongside Merseyside Police and our Local Authorities we are exploring the concept of fully		Prevention	MFRA and partners have changed direction in relation to this action since the IRMP was written:  MFRS is embedded in the Wirral Hub, but the approach differs across Merseyside and the same arrangements may not be suitable in all areas.	AMBER

<p>integrated early help services, creating shared service Community Safety/Early Help Hubs, which it is envisaged will better co-ordinate resources.</p>			<p>Some aspects of this work have diversified with the creation of the Violence Reduction Partnership (VRU), this is a Home Office sponsored project that brings multi-disciplinary teams and agencies together to reduce crime in particular those who are most at risk across Merseyside. MFRS is embedded in the Violence Reduction Partnership.</p>	
<p>17. With partners we are committed to the building of digitally inclusive community where everyone has access to affordable broadband and devices, has the right skills and confidence to use the internet and the ability to use technology to improve their</p>		<p>Prevention</p>	<p>This has not made significant progress in 2019 – 20. As a result of the learning from COVID-19. We will now consider broadening the remit of this action point to explore whether we can deliver a standalone/virtual Home Safety Application that can be of self-service for members of the community.</p> <p><b>It is proposed that the Authority amends this priority due to Local Authority change of priority since our IRMP was written.</b></p>	<p>AMBER</p>



<p>quality of life and get out of poverty. We propose to deliver a multi-disciplinary monitoring system, through smart smoke alarms linked to Fire Control to enable vulnerable residents to stay safe.</p>				
<p>18. We aim to develop a volunteer cohort to support engagement events, work with other community stakeholders to identify vulnerable people and to support the service</p>		<p>Prevention</p>	<p>MFRS volunteers programme has been established.</p> <p>As a result of COVID-19 we sought to expand the use of volunteers with existing staff. Over 250 staff registered and interest in volunteering and fulfilling key tasks within the COVID-19 response delivering excellent results for our communities.</p>	<p>GREEN</p>

directly in the delivery of community reassurance and CFOA themed campaigns.				
18a. MFRA would like to explore opportunities for funding and sponsorship from the private sector to support its Youth Engagement programmes.		Prevention	<p>A review of Youth Engagement provision will explore more commercialisation and targeting of Merseyside and City Region Community Safety budgets.</p> <p>This action is still ongoing</p>	AMBER
19. Towards 2020 we will ensure targeting the right level of Protection expertise to the level of risk by using a wide range of data and intelligence sources.		Protection	A Risk Based Inspection Programme has been developed and implemented and is now business as usual.	GREEN

<b>New - 2019-21 IRMP Supplement Proposal</b>				
<p><i>We will increase the number of staff in our Protection team to carry out legislative fire safety work.</i></p> <p><i>We plan to introduce a non-uniformed role of Fire Engineer to provide technical expertise that will assist us provide expert advice to building owners and developers,</i></p>	<p>This new proposal reflects our additional commitment to Protection and helps to address concerns highlighted by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services in their initial report on fire and rescue service inspection. This will help us improve the way in which we work closely with building owners and occupiers to improve compliance with legislation and take</p>	Protection	<p>Internal development of staff has resulted in a total of 14 Fire Safety Inspectors and six Fire Safety Auditors within current budgetary limitations.</p> <p>We have also been able to secure an additional three Watch Managers as part of the investment proposed in the 2019 – 2021 IRMP Supplement. This has enabled us to resource our Risk Based Inspection Programme more fully. However, the loss of four fully qualified Fire Safety Inspectors, mainly to the Private Sector continues to be an adverse factor on resourcing the Department.</p> <p>Recruitment and selection of a Fire Engineer has been completed. The new post holder is a Level 5 qualified fire Inspector and recently enrolled on the Level 6 Fire Engineering Degree at UCLAN.</p> <p>Recruitment of a further six permanent fire safety inspectors is being delivered.</p>	GREEN

	<p>action to deal with non-compliance.</p> <p>We believe that Protection is key to keeping people safe in public and commercial buildings and we propose to increase the number of staff carrying out Protection work by creating five new uniformed manager roles to help improve the capacity of the Protection team.</p>		<p>Recruitment of a further two fixed term contract fire safety inspectors is being delivered during the same period.</p> <p>Three fire safety auditors have recently successfully moved into fire safety inspector positions.</p>	
<p>20. We propose that Business Safety Advisors (this role has now been upgraded to Business Safety Auditors) will complement the work of Protection by further supporting</p>		<p>Protection</p>	<p>Business Safety Auditors and Fire Safety Inspectors continue to deliver against local and national campaigns, most recently the NFCC Business Safety Week Campaign.</p> <p>All 4 roles within the Protection Response Officer Team have now been filled by WMB's two of these posts are still development roles and we will be requesting that the two WMs are made permanent within Protection to ensure that the proposals within the 2019 -2021 IRMP supplement are met.</p>	<p>GREEN</p>

<p>our risk based strategy, developing initiatives and campaigns to target specific business premises across Merseyside.</p>			<p>The Team have been central in the development of Operational fire safety, including extending Simple Operational Fire Safety Assessment activity to additional premises types and delivering Service wide High Rise training to operational crews through targeted sessions.</p>	
<p>21. Introduction of the Protection Response Team will ensure operational crews are fully prepared to respond safely and effectively to fires with an enhanced knowledge of the built environment. We propose further involvement in planning activities, exercise support</p>		<p>Protection</p>	<p>Currently we have been unable to make progress due to the Business Support Group becoming inactive. We understand that this is due to the loss of representatives from a number of key partners and we will be reviewing how Protection can best meet this objective.</p>	<p>AMBER</p>

<p>and debriefing MFRA and multi-agency exercises. The team will support the management of risk through undertaking 'peak performance' inspections with partners.</p>				
<p>22. MFRA will develop a Merseyside Better Business for All approach by April 2018 working with local stakeholders. By working together to remove real and perceived barriers to growth by understanding each other's perspective, we</p>		<p>Protection</p>	<p>Currently we have been unable to make progress due to the Business Support Group becoming inactive. We understand that this is due to the loss of representatives from a number of key partners and we will be reviewing how Protection can best meet this objective.</p> <p>There have been changes in priorities due to Legislation being updated and moving more towards enforcement.</p>	<p>RED</p>

<p>can develop our approach, tackle obstructions and find solutions to move forward.</p>				
<p><b>Finance</b></p>				
<p><b>Original proposals IRMP 2017-20</b></p>				
<p>23.Financial proposals:</p> <ul style="list-style-type: none"> <li>• Prepare a multi-year financial plan</li> <li>• Set council tax increase in line with the financial plan</li> <li>• Assume 2% pay increase for our staff for 2019/20 and each year thereafter</li> <li>• Look to reinvest £1m in frontline services and increase the number of firefighters from 620 to 642.</li> <li>• Fund the £1m investment from anticipated savings on future debt payments and pension deficit payments.</li> <li>• Deliver the saving plan approved in the 2018/19 financial plan.</li> </ul>	<p>Finance</p>	<p>Complete</p> <p>2020/21 budget set and confirmed all actions were completed in 2019/20 budget.</p>	<p>GREEN</p>	

This page is intentionally left blank





# Operational Response IRMP Supplement 2019-21 Action Impact Assessment

**VERSION 1.0**

## STRATEGY & PERFORMANCE OPERATIONAL RESPONSE

---

Author: J Fielding, SM M Clynch  
Work For: AM J Berry, GM D Bolton  
Date Assigned: 17/03/2021  
Date Data Extracted: 01/04/2021  
Work Completed: 06/04/2021

---

Document Type:     Statistics / Maps                       Survey                       Report

---

System(s) Used:     Incident Recording System  
                           FSEC / Vision BOSS  
                           SurveyMonkey  
                           Oshens  
                           Other:

---

### Related Documents

Title: 2019-21 Supplement to the Integrated Risk Management Plan 2017-20  
Date of Document: 2019  
[https://www.merseyfire.gov.uk/media/1466/irmp\\_17\\_20\\_supplement\\_19\\_21.pdf](https://www.merseyfire.gov.uk/media/1466/irmp_17_20_supplement_19_21.pdf)

---

This is an unpublished work, the Copyright in which vests in Merseyside Fire & Rescue Service. All rights reserved. The information contained herein is the property of Merseyside Fire & Rescue Service, and is supplied without liability for errors or omissions. No part may be reproduced or used except as authorised by Contract or other written permission. The Copyright and the foregoing restriction on reproduction and use extend to all media in which information may be embodied ©

## 1. Introduction

The purpose of this briefing paper is to provide a high level assessment of the impact from actions contained within the Integrated Risk Management Plan (IRMP) 2019-21 Supplement. This paper specifically focuses on actions related to the Operational Response Function of Merseyside Fire & Rescue Service (MF&RS).

## 2. Methodology

Provided within this paper is a matrix which scores the impact of each supplemental action. The following lists:

- The actions taken from 2019-21 IRMP Supplement
- The Planning Principle for each action, where each planning principle has a weighting metric as follows<sup>1</sup>:
  - Response to Emergencies: 0.26
  - Safety Focused: 0.17
  - Meeting Demand: 0.16
  - Focused on the Community: 0.13
  - Continuous Improvement and Innovation: 0.10
  - Value for Money: 0.09
  - Based in the Community: 0.09
- The Benefit Score (which measures the impact of each action), is then tallied by Operational Response management. The scores represent the following:
  - 0 = Worse,
  - 1 = No Difference
  - 2 = Minimal Benefits
  - 3 = Reasonable Benefits
  - 4 = Maximum Benefits
- The Planning Principle is then multiplied by the Benefit Score to produce a final score.

---

<sup>1</sup> Weightings are based on ORS report June 2016 findings, where points out of 105 were allocated by a focus group for each planning principal. Weighting calculated by dividing the points for each planning principal by 105 (making a total of 1). Original Points score then multiplied by the weighting to get a final score. Please note that the IRMP Actions for Operational Response for the 2019-2021 Supplement do not include the Planning Principle of "Value for Money" - equal to a multiplier of 0.09.

### 3. Findings

IRMP Planning Principle	Full Description	Action	Benefit Score	Weighting	Final Score	Notes
<b>Response to Emergencies</b>	We plan to improve our emergency response and resilience by having up to 30 fire appliances available during the day and night (a combination of wholetime and retained). This is an increase on the 26 proposed in our original 2017-20 IRMP. We plan to achieve this increase in the number of fire engines from: 26 (18 fire engines immediately available 24/7; 6 day crewed fire engines (immediately available during the day and on 30 minute recall at night); and 2 fully wholetime retained fire engines which are available on a 30 minute recall 24/7) to 30 by providing 20 appliances immediately available; 6 day crewed fire engines (immediately available during the day and on 30 minute recall at night); 3 fully wholetime retained fire engines which are available on a 30 minute recall 24/7 and 1 Search & Rescue Fire Appliance	30 appliances available during the day	4	0.26	1.04	Increased appliance numbers has aided in covering key locations during larger incidents and allowing more appliances to be available for Training.
		30 appliances available during the evening	4	0.26	1.04	Increased resilience has offered the service greater flexibility for dealing with larger incidents, including spate conditions occurring at night.
<b>Safety Focused</b>	This plan also includes a commitment to maintain fire engines with five firefighters on at key locations (including those where five firefighters are required to operate our National Resilience assets) with other locations operating with four firefighters per fire engine	Key Stations to staff 5 riders	4	0.17	0.68	Allows for extra resilience in firefighter numbers on shift and also for increased safe systems of work.
		Other stations to staff minimum of 4 riders	4	0.17	0.68	Important to allow the minimum safe system of work; delivered against on all available appliances.
<b>Meeting Demand</b>	Undertake recruitment between 2017-20 to ensure numbers & competence is maintained (making sure we have enough firefighters for the future). Our last firefighter recruit course ended in December 2018, with those firefighters joining their fire stations from January 2019. We intend to run three firefighter recruit courses a year up to 2021.	To run 3 firefighter recruitment courses a year up to 2021	4	0.16	0.64	Due to succession planning against the organisation's retirement profile; this was very important to be delivered against.
	21 immediately available fire appliances (including a Search & Rescue appliance) during the night with a further 9 available within 30 minutes (for resilience purposes). To achieve this we intend to increase the number of firefighters employed by Merseyside Fire & Rescue Authority from 620 to 642 To achieve this we intend to recruit up to 60 new firefighters each year during the life of the plan to maintain the 642 figure.	21 immediately available fire appliances during the night with a further 9 available within 30 minutes	4	0.16	0.64	Increased appliances has helped with coverage in areas where stations had previously been Day Crewing.

IRMP Planning Principle	Full Description	Action	Benefit Score	Weighting	Final Score	Notes
		Increase the number of firefighters from 620 to 642	4	0.16	0.64	Increased numbers utilised across all shift patterns for development and also to set up new Hybrid systems
		Recruit 60 new firefighters each year	4	0.16	0.64	Increased numbers utilised across all shift patterns for development and also to set up new Hybrid systems
<b>Based in the Community</b>	Completion of station mergers (closing two stations and building one new station) at three locations - (St Helens, Prescot & Saughall Massie).	Opening of Prescot, Saughall Massie and St Helens Stations	4	0.09	0.36	The merger of stations has been delivered. Prescot, Saughall Massie and St Helens are open and fully operational.
<b>Continuous Improvement &amp; Innovation</b>	We will also review the location of our specialist appliances to determine what is the most suitable location based on the risk and demand in the area, the appropriateness of the duty system and the capacity of a fire station to house the additional asset.	Review of appliance locations		0.1	0	The review was completed, but not delivered against, and has been carried over into the 2021-24 IRMP
		Review of Duty Systems		0.1	0	The review was completed, but not delivered against, and has been carried over into the 2021-24 IRMP
<b>Focused on the Community</b>	We propose that when the Emergency Medical Response trial is complete, Merseyside Fire & Rescue Authority will introduce EMR to all fire crews across Merseyside during the lifespan of this IRMP.	Reintroduction of EMR		0.09	0	EMR is yet to be reintroduced to the Service and is an ongoing piece of work.
<b>Total</b>					6.36 /	
					7.52	

The table describes the IRMP actions with their related Planning Principle and Benefit Scores. It identifies that the majority of actions have been satisfactorily achieved, with the exception of the Review of Appliance Locations, Duty Systems as well as the reintroduction of EMR.

The introduction of 30 appliances during both the day and night shifts have resulted in the greatest overall Final Score and therefore greatest positive impact to the service.